

(D) **Exemptions.** The following uses are exempt from the application of this Ordinance.

(1) Pursuant to Section 56-46.1 of the Code of Virginia, electrical transmission lines of 150 kV or more, approved by the State Corporation Commission, shall be deemed to have satisfied the requirements of this ordinance. In addition, the following utility uses are exempt from the provisions of this article: poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves or any other similar equipment when used for the purpose of distributing service to individual customers, but not including substations, transmission lines, or trunk lines located on or above the surface of the ground, for the distribution to consumers of telephone, cable television or other communications, electricity, gas or water, or for the collection of sewage or surface water.

(2) The height limitations of this Ordinance shall not apply to towers, gables, penthouses, scenery lofts, cupolas, barns, silos, farm buildings, residential chimneys, spires, flag poles, monuments or transmission towers and cables, telecommunications or data transfer antennas or other similar structures and necessary mechanical appurtenances; nor to any smokestack, water tank, radio or television antenna or tower not exceeding in height the distance therefrom to the nearest lot line; provided that this height limitation shall not apply to any of the above enumerated structures now or hereafter located on existing public utility easements.

(E) **Private Agreements.** This Ordinance is not intended to abrogate, annul or otherwise interfere with any easement, covenant or other private agreement or legal relationship; provided, however, that where the regulations of this Ordinance are more restrictive or impose higher standards or requirements than such easements, covenants or other private agreements or legal relationships, the regulations of this Ordinance shall govern.

(F) **Existing Special Exceptions and Variances.**

(1) Any special exception lawfully issued prior to June 16, 1993, or any amendment thereof, shall be deemed to be and continue to be valid, provided that the special exception use is established by June 16, 2003. The period of validity in Section 6-1313 of this Ordinance shall not apply to special

1 (A) **Lot Access Requirements.** No structure requiring a building  
2 permit shall be erected upon any lot which does not have frontage  
3 on a Class I, Class II, Class III road, or private access easement as  
4 specified in the individual district regulations, except as  
5 specifically provided for herein and the Land Subdivision and  
6 Development Ordinance (LSDO).

7 (1) New access points (private or public) to arterial or major  
8 collector roads shall be limited to locations at existing  
9 median breaks, planned median breaks or other locations  
10 approved by Loudoun County or VDOT.

11 (B) **Regular Lots, Width Measurements.** The width of a regular lot  
12 shall be determined by measurement across the rear of the required  
13 front yard. The distance between side lot lines at the points where  
14 they intersect with a street line shall not be less than eighty percent  
15 (80%) of the required width, measured along the street line.  
16 However, in cases where lots front on curved or circular (cul-de-  
17 sac) streets, the radii of which do not exceed ninety (90) feet, the  
18 distances between side lot lines where they intersect with the street  
19 line may be reduced to sixty percent (60%) of the required width,  
20 measured along the street line. Yards and street lines shall be  
21 measured along the arc of the curve for curvilinear yards and street  
22 lines. Lot width shall be measured only along continuous frontage  
23 facing one street. The minimum width of a lot on a private access  
24 easement shall be determined by measurement along the front yard  
25 around the private access easement extended into the lot.

26 (C) **Regular Lots, Determination of Front Yard.**

27 (1) On regular interior lots, the front shall be construed to be  
28 the portion nearest the street.

29 (2) On regular corner lots, except as provided for in  
30 subparagraph (3) below, the front shall be construed to be  
31 the shorter boundary fronting on a street. If the lot has  
32 equal frontage on two or more streets, the front of the lot  
33 shall be determined and shown on the subdivision plat or  
34 site plan by the prevailing building pattern, or the  
35 prevailing lot pattern if a building pattern has not been  
36 established.

37 (3) In an agricultural zoning district (A-3, A-10, AR-1 and AR-  
38 2), the front of the lot shall be determined and shown on the  
39 subdivision plat or site plan by the prevailing building

1 required yard on a regular lot adjacent to a street in the district  
2 shall be provided.

3 (J) **Setback Measurement From Streets.** All setbacks from public  
4 streets shall be measured from the wider of (a) the existing  
5 dedicated right-of-way, or (b) the right-of-way proposed in the  
6 Comprehensive Plan or (c) the minimum dedicated right-of-way  
7 permitted for VDOT acceptance of the right-of-way for  
8 maintenance. If no dedicated right-of-way exists, or if no  
9 construction plans are approved for the road or if less than the  
10 minimum right-of-way exists, the right-of-way shall be assumed to  
11 be centered on the existing travelway.

12 (K) **Length to Width Ratio Measurement.** The width of a regular lot  
13 shall be determined by measurement across the rear of the required  
14 front yard. If the lot is of regular dimensions, the lot ~~length depth~~  
15 is the horizontal distance between the front lot line and the rear lot  
16 line. If the lot is of irregular dimensions, the lot ~~length depth~~ is  
17 defined by determining the average of a representative number of  
18 distances between the front lot line and the rear lot line as  
19 measured in a straight line.

20 (L) **Reduction in Minimum Yard, Setback, and Buffer**  
21 **Requirements Based on Error in Building Location.**  
22 Notwithstanding any other provision of this Ordinance, the Zoning  
23 Administrator shall have the authority, as qualified below, to  
24 approve a reduction in the minimum yard, setback, and buffer  
25 requirements in the case of any building existing or partially  
26 constructed which does not comply with such requirements  
27 applicable at the time such building was erected. Such a reduction  
28 may be approved in accordance with the following provisions:

29 (1) The Zoning Administrator determines that:

- 30 (a) The error does not exceed ten (10) percent of the  
31 ~~measurement applicable minimum yard, setback or~~  
32 ~~buffer that is involved~~, and
- 33 (b) The noncompliance was done in good faith, or  
34 through no fault of the property owner, or was the  
35 result of an error in location of the building  
36 subsequent to the issuance of a Building Permit, if  
37 such was required, and

~~(e)~~ Such reduction will not impair the purpose and intent of this Ordinance, and

~~(d)~~(c) It will not be detrimental to the use and enjoyment of the other property in the immediate vicinity, and

~~(e)~~(d) It will not create an unsafe condition with respect to both other property and public streets, and

~~(f)~~(e) To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owner, and

~~(g)~~(f) The reduction will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.

(2) In approving such a reduction under the provision of this Section, the Zoning Administrator shall allow only a reduction necessary to provide reasonable relief and, as deemed advisable, may prescribe such conditions, to include landscaping and screening measures to assure compliance with the intent of this Ordinance.

(3) Upon the approval of a reduction for a particular building in accordance with the provision of this Section, the same shall be deemed to be a lawful building.

(4) The Zoning Administrator shall have no power to waive or modify the standards necessary for approval as specified in this Section.

(5) If there is an error greater than ten (10) percent of the measurement that is involved, a reduction may be granted by the BZA in accordance with the provisions of Section 6-1600.

**1-206**

**Calculations of Density.** Calculations of density in individual zoning districts shall be subject to the following:

(A) Calculations of gross and net densities, gross and net residential area, lot area, floor area ratios, and similar measures shall be made in accordance with the formulas provided within the definitions of these terms in Article VIII of this Ordinance.

1 with one or more turning roadways for travel between  
2 portions of such intersection, and shall include all related  
3 improvements such as access or service roads necessitated  
4 by the interchange; and the term "area dedicated" shall  
5 include all property in excess of the right-of-way for a  
6 normal width typical highway section.

7 (4) In no case shall conveyances or dedications to a public  
8 body made in exchange for monetary compensation be  
9 eligible for density computation under this section.

10 (5) Further, conveyances or dedications made or committed to  
11 by the landowners or predecessors in interest as part of an  
12 approved condition of a subdivision application, special  
13 exception application, or a zoning map amendment petition  
14 shall not be considered eligible for density computation  
15 under this section provided that an effective irrevocable  
16 dedication or conveyance made during the pendency of an  
17 application shall not decrease the lot area for purposes of  
18 density or intensity computation.

19 (C) **Public Uses.** This section is applicable solely for determining  
20 density credit for public uses in any zoning district.

21 (1) In those zoning districts, including planned development  
22 districts, where density or intensity of land use is controlled  
23 by number of dwelling units per acre or floor area ratio, or  
24 other similar measure, such computations with respect to a  
25 lot from which land has been severed for the purpose of  
26 constructing or improving any public use or portion  
27 thereof, including roads shown on the adopted  
28 Comprehensive Plan, shall be based upon the lot area  
29 including the area severed for such purpose when:

30 (a) The area dedicated or conveyed is necessary for the  
31 installation or improvement of the public use,  
32 including roads shown on the adopted  
33 Comprehensive Plan, and is in accordance with the  
34 adopted comprehensive plan; and

35 (b) The area dedicated or conveyed is suitable in  
36 location, size, shape, condition and topography for  
37 such needed public use and there are no  
38 encumbrances to the title which would interfere  
39 with such use; and

1 (C) **Change of Nonconforming Use.**

- 2 (1) If no structural alterations are made, a nonconforming use  
3 may by special exception be changed to another  
4 nonconforming use provided that the Board of Supervisors,  
5 upon Planning Commission recommendation, either by  
6 general rule or by making findings in the specific case,  
7 finds that the proposed use is equally appropriate or more  
8 appropriate to the zoning district than the existing  
9 nonconforming use. The Board of Supervisors may impose  
10 appropriate conditions in accord with the provisions of this  
11 Ordinance.
- 12 (2) When any nonconforming use is superseded by a permitted  
13 use, the use shall thereafter conform to the regulations for  
14 the district, and no nonconforming use shall thereafter be  
15 resumed.

16 **1-403 Nonconforming Structures.**

- 17 (A) **Repair or Reconstruction of Nonconforming Structure.**  
18 Repairs, restoration and maintenance, including structural repairs,  
19 may be made to a nonconforming structure. Except as provided  
20 for in Section 4-1500, if a nonconforming structure is damaged or  
21 destroyed by a casualty or event beyond the owner's reasonable  
22 control, the owner may repair or replace such structure provided  
23 the degree of non-conformity is not increased.
- 24 (B) **Alteration or Enlargement of Nonconforming Structure.** A  
25 nonconforming structure shall not be enlarged, increased, nor  
26 extended to occupy a greater area of land than was occupied at the  
27 effective date of adoption or amendment of this Ordinance unless  
28 such improvements do not increase the degree of nonconformity.  
29 Notwithstanding the foregoing, a legal, non-conforming residential  
30 structure shall not be considered to have been enlarged, increased  
31 or extended within the meaning of this subsection if the addition to  
32 an existing structure is less than 50% of the existing square footage  
33 on the effective date of this Ordinance, and the yard requirements  
34 of the zoning classification which applied to the construction of  
35 such residences prior to the effective date of this Ordinance are  
36 maintained.
- 37 (C) **Moving of Nonconforming Structure.** A nonconforming  
38 structure shall not be moved in whole or in part to any other  
39 location unless every portion of such structure and the use thereof

is made to conform with all requirements of this Ordinance and other applicable County Ordinances.

- (D) **Pre-existing Structures in Subsequently Created Setback areas.** Residences, accessory structures, and accessory uses built before June 16, 1993 may increase their footprint existing on that date up to 50% and are exempt from the setbacks of Section 5-900 but must maintain the setback created by the front of the residence even if the setback so created is less than what is required by this Ordinance.

#### **1-404 Nonconforming Lots.**

- (A) **Use of Nonconforming Lots.** If a lot was recorded prior to the effective date of this Zoning Ordinance, or is hereafter created in conformity with Section 1-103(H), and such lot met the requirements of the Zoning Ordinance in effect at the time of recordation, or complies with Section 1-103(H), then such lot may be used for any use permitted in the Zoning District in which it is located even though ~~the lot it~~ does not meet the lot ~~area, access and/or lot width~~ requirements of the district, provided all the other regulations of this Ordinance can be satisfied. Notwithstanding anything to the contrary contained herein, hamlet lots shall be governed by the Rural Hamlet Option as contained in Section 5-702.
- (B) **Establishment of Nonconforming Lot Prohibited.** A lot may only be established after the effective date of this Ordinance, if such lot conforms with all requirements of this Ordinance except as follows:
- (1) A lot not meeting lot area requirements of the zoning district is created by the subdivision of a previously existing split zoned lot along the existing zoning district line, and the lot meets all other ordinance requirements;
  - (2) A lot is created for use by LCSA, VDOT, municipal utilities, public utilities as defined in Section 56-232 of the Virginia State Code, or public service corporations as defined in Section 56-1 of the Virginia State Code and meets the requirements of Section 5-621; or
  - (3) An "outlot" is designated on a subdivision plat as open space. No habitable structures shall be built upon an "outlot".

- 1 (C) **Boundary Line Adjustments.** Notwithstanding the provisions of  
2 paragraph (B) above, boundary line adjustments ~~may~~ shall be  
3 permitted between nonconforming lots, or between a conforming  
4 and a nonconforming lot, provided the Zoning Administrator finds  
5 that the degree of nonconformity for any lot resulting from such  
6 boundary line adjustment is not increased due to such adjustment.  
7 In addition, the Zoning Administrator shall find that a boundary  
8 line adjustment does not increase nonconformity and is permitted  
9 where ~~the number of residential units allowable on each affected~~  
10 ~~lot with the boundary line adjustment is no greater than the number~~  
11 ~~without the boundary line adjustment, and~~ the boundary line  
12 adjustment satisfies one of the following conditions: (1) it makes  
13 it possible to rectify a septic system or well failure by providing  
14 space for a replacement septic system or well that meets all  
15 applicable standards; (2) it incorporates acreage into a lot that is  
16 subject to a permanent conservation easement, with the new  
17 acreage added to the protected easement area; ~~or~~ (3) it allows any  
18 existing nonconforming lot to meet the twenty acre minimum lot  
19 size in the AR-1 zoning district or the fifty forty acre minimum lot  
20 size in the AR-2 zoning district; (4) it allows for boundary line  
21 agreements to correct survey inconsistencies; or (5) in the AR-1  
22 and AR-2 zoning districts, no lot shall be decreased to less than  
23 80,000 square feet.
- 24 (D) **Highway Realignment or Condemnation.** Any lot, which by  
25 reason of realignment of a Federal or State highway or by reason  
26 of condemnation proceedings, has been reduced in size to an area  
27 less than that required by law, shall be considered a  
28 nonconforming lot of record subject to the provisions set forth in  
29 Section 1 404(A); and any lawful use or structure existing at the  
30 time of such highway realignment or condemnation proceedings  
31 which would thereafter no longer be permitted under the terms of  
32 this Ordinance shall be considered a nonconforming use or  
33 structure as that term is used in this Ordinance.

34 **1-405**

**Procedure for Removal of Nonconforming Status.**

- 35 (A) **Availability of procedure.** Notwithstanding any terms of this  
36 Section prohibiting the continuation, reconstruction, or expansion  
37 of nonconforming uses and structures, a nonconforming use or  
38 structure may be deemed to be in conformity with the requirements  
39 of this Section, and may be allowed to continue and to expand as a  
40 lawfully existing use or structure, through the issuance of special  
41 exception approval in accordance with the following procedures  
42 and standards.

1 (B) **Application.** To establish a nonconforming use or structure as a  
2 lawfully existing use or structure, the owner of the property or his  
3 or her authorized agent shall apply for special exception use  
4 approval in accordance with the procedures set forth in Section 6  
5 1300.

6 (C) **Review by Board of Supervisors.** The Planning Commission  
7 shall review and recommend and the Board of Supervisors shall  
8 review and act upon the application for termination of  
9 nonconforming status in accordance with the procedures and  
10 standards set forth in Section 6 1300 of this Ordinance. In  
11 reviewing and acting upon an application, the Planning  
12 Commission and Board shall also consider whether the  
13 nonconforming use or structure can be improved as follows:

14 (1) A landscaped buffer could be provided between the  
15 nonconforming use or structure and any abutting lot in  
16 order to provide the maximum buffering effect for  
17 potentially adverse impacts of the use or structure on any  
18 abutting properties.

19 (2) Off-street parking areas located on the lot could be  
20 improved by landscaping sufficient to mitigate adverse  
21 impacts on any abutting properties.

22 (3) Nonconforming signs, outdoor lighting, off-street parking  
23 areas, and other nonconforming accessory structures  
24 located on the lot could be removed or brought into  
25 conformity with the applicable requirements of this  
26 Ordinance.

27 (4) A nonconforming structure would not be expanded or  
28 enlarged so as to increase the degree of nonconformity.

29 (5) Any expansion or enlargement of the use or structure could  
30 be limited to no greater than fifty percent (50%) of the floor  
31 area or lot area that it occupied on the effective date of this  
32 Ordinance or any amendment to this Ordinance which  
33 rendered the use or structure nonconforming.

34 (D) **Effect of Approval.** Upon approval of the application for  
35 termination of nonconforming status by the Board, the use or  
36 structure shall no longer be treated as nonconforming and shall be  
37 allowed to continue as a lawfully existing use or structure unless it  
38 is abandoned or discontinued for a continuous period of one (1)

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~~year. hundred eighty (180) consecutive days.~~ This status as a lawfully existing use shall apply only to the use or structure for which the special exception approval is issued and not to any other use or structure that may be located on the lot.

- 1 (N) Public or private playground or neighborhood park.
- 2 (O) Recycling drop-off collection center, small, pursuant to Section 5-  
3 607.
- 4 (P) Dwelling, single family, detached, including manufactured  
5 housing.
- 6 (Q) Small business, pursuant to Section 5-614.
- 7 (R) Stable, neighborhood, on lots of twenty five (25) acres or more,  
8 with frontage on a state maintained road.
- 9 (S) Stable, private.
- 10 (T) Tenant dwelling, pursuant to Section 5-602(A)&(C).
- 11 (U) Wayside stand pursuant to Section 5-604.
- 12 ~~(V) Portable dwelling/trailer during construction of a primary residence,~~  
13 ~~pursuant to Section 5-500.~~
- 14 ~~(W)(V)~~ Utility substation, dedicated.
- 15 ~~(X)(W)~~ Veterinary service.
- 16 ~~(Y)(X)~~ Bus shelter.
- 17 ~~(Z)(Y)~~ Commuter parking lot, with less than 50 spaces.
- 18 ~~(AA) Construction and/or sales trailer, during period of construction~~  
19 ~~activity.~~
- 20 ~~(BB)(Z)~~ Sewer pumping station.
- 21 ~~(CC)(AA)~~ Mill, feed and farm supply center.
- 22 ~~(DD)(BB)~~ Water pumping station.
- 23 ~~(EE)(CC)~~ Rural agricultural corporate retreat, pursuant to Section 5-  
24 619.
- 25 ~~(FF)(DD)~~ Pet Farm.
- 26 ~~(GG)(EE)~~ Telecommunications antenna, pursuant to Section 5-  
27 618(A).

~~(HH)(FF)~~ Telecommunications monopole, pursuant to Section 5-618(B)(1).

**2-303**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300.

(A) Airport

(B) Bed and breakfast inn pursuant to Section 5-601(B).

(C) Community center.

(D) Country inn, pursuant to 5-601(C).

(E) Camp, day and boarding.

(F) Educational or research facilities related to uses permitted in this district.

(G) Equestrian facility, on lots of less than fifty (50) acres or without state maintained road frontage.

(H) Extraction of sedimentary rock.

(I) Farm market, pursuant to Section 5-603.

(J) Fire and/or rescue station.

(K) Guest farms or ranch, leasing four to twenty (4-20) guest rooms.

(L) Private club or lodge.

(M) Nursery, production without frontage on a state maintained road, pursuant to Section 5-605.

(N) Orphanage, or similar institution.

(O) Small business, pursuant to the provisions of Section 5- 614.

(P) Stable, neighborhood, on lots of less than fifty (50) acres or without state maintained road frontage.

(Q) Structure or use for federal, state, county or local government purposes, not otherwise listed.

(R) Tenant dwelling, pursuant to Section 5-602.

- 1 (S) Utility transmission lines, overhead.
- 2 (T) Animal hospital.
- 3 (U) Kennel, pursuant to Section 5-606.
- 4 (V) Yard waste composting facility.
- 5 (W) Cemetery, mausoleum or memorial park, pursuant to Section 5-  
6 637.
- 7 (X) Church, synagogue and temple.
- 8 (Y) Convent, monastery, or seminary, pursuant to Section 5-656.
- 9 (Z) Child or adult day care center, pursuant to Section 5-609.
- 10 (AA) Commuter parking lot with greater than 50 spaces.
- 11 (BB) Congregate housing facility.
- 12 (CC) Country club.
- 13 (DD) Golf course.
- 14 (EE) Public or private community or regional park.
- 15 (FF) Sawmill, pursuant to Section 5-629.
- 16 (GG) Agricultural processing facilities, such as abattoir, cannery, grain  
17 mill and the like.
- 18 (HH) Water storage tank pursuant Section to 5-621.
- 19 (II) Water treatment plant, pursuant to Section 5-621.
- 20 (JJ) Sewage treatment plant pursuant to Section 5-621.
- 21 (KK) Rural resort, pursuant to Section 5-601.
- 22 (LL) Crematorium, pursuant to Section 5-637.
- 23 (MM) Rural agricultural corporate retreat, pursuant to Section 5-619.
- 24 (NN) Vegetative waste composting-management facility.
- 25 (OO) Telecommunications monopole, pursuant to Section 5-618(B)(2).

(PP) Telecommunications tower, pursuant to Section 5-618(C)(2).

(QQ) Police Station.

**2-304 Lot Requirements (See Section 1-205).**

(A) **Size.** Ten (10) acres minimum.

(B) **Width.** Three hundred (300) feet minimum for lots fronting on Class I Roads; two hundred (200) feet minimum for lots fronting on Class II or III Roads; and fifty (50) feet minimum for lots fronting on a private access easement.

(C) **Yards.** No building shall be located within twenty five (25) feet of any property line nor within one hundred (100) feet from the right of way of any arterial road, seventy five (75) feet from the right of way of any collector road, and fifty (50) feet from any other road right of way, any private access easement, and prescriptive easement.

(D) **Length/Width Ratio.** ~~4:1~~ 5:1 maximum.

**2-305 Lot Requirements for Cluster Development (See Section 1-205).**

(A) **Size.** Three (3) acres, exclusive of major floodplain.

(B) **Width.** Three hundred (300) feet minimum for lots fronting on Class I Roads; two hundred (200) feet minimum for lots fronting on a Class II or III Roads; and fifty (50) feet minimum for lots fronting on a private access easement.

(C) **Yards.** No building shall be located within twenty five (25) feet of any property line nor within one hundred (100) feet from the right of way of any arterial road, seventy five (75) feet from the right of way of any collector road, and fifty (50) feet from any other road right of way, any private access easement, and prescriptive easement.

(D) **Length/Width Ratio.** ~~4:0~~ 5:1.

(E) **Common Open Space.** Common open space shall be provided and appropriately located with respect to permitted uses, in a sufficient amount such that gross density of one single family dwelling for each ten (10) acres shall be maintained. Common open space shall be permanently reserved as open space acceptable to the Board of Supervisors.

- 1 (P) Small business, pursuant to the provisions of Section 5-614.
- 2 (Q) Stable, neighborhood on lots of twenty five (25) acres or more,  
3 with frontage on a state maintained road.
- 4 (R) Stable, private.
- 5 (S) Tenant dwelling, pursuant to Section 5-602(A)&(C).
- 6 (T) Wayside stand, pursuant to Section 5-604.
- 7 ~~(U) Portable dwelling/trailer during construction of a primary residence,~~  
8 ~~pursuant to Section 5-500.~~
- 9 ~~(V)(U)~~ Utility substation, dedicated.
- 10 ~~(W)(V)~~ Bus shelter.
- 11 ~~(X)(W)~~ Commuter parking lot, with 50 spaces or less.
- 12 ~~(Y) Construction and/or sales trailer, during period of construction activity.~~
- 13 ~~(Z)(X)~~ Farm machinery sales and service, pursuant to Section 5-615.
- 14 ~~(AA)(Y)~~ Sewer pumping station, pursuant to Section 5-621.
- 15 ~~(BB)(Z)~~ Water pumping station, pursuant to Section 5-621.
- 16 ~~(CC)(AA)~~ Mill, feed and farm supply center.
- 17 ~~(DD)(BB)~~ Rural agricultural corporate retreat, pursuant to Section 5-  
18 619.
- 19 ~~(EE)(CC)~~ School, public.
- 20 ~~(FF)(DD)~~ Pet Farm.
- 21 ~~(GG)(EE)~~ Telecommunications antenna, pursuant to Section 5-  
22 618(A).
- 23 ~~(HH)(FF)~~ Telecommunications monopole, pursuant to Section 5-  
24 618(B)(1).
- 25 (GG) Municipal drinking water supply reservoir.

- 1 (U) Orphanage, or similar institution.
- 2 (V) Rural retreat, pursuant to Section 5-601 (D).
- 3 (W) Small business, pursuant to the provisions of Section 5-614.
- 4 (X) Stable, neighborhood, on lots less than twenty-five (25) acres, or  
5 without frontage on a state maintained road.
- 6 (Y) Structure or use for federal, state, county, or local governmental  
7 purposes, not otherwise listed.
- 8 (Z) Tenant dwelling, pursuant to Section 5-602(B)&(C).
- 9 (AA) Testing station.
- 10 (BB) Veterinary service.
- 11 (CC) Utility substation, transmission, pursuant to 5-616.
- 12 (DD) Utility transmission lines, overhead.
- 13 (EE) Hospital, pursuant to Section 5-610.
- 14 (FF) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- 15 (GG) Yard waste composting facility.
- 16 (HH) Airport.
- 17 (II) Arboretum.
- 18 (JJ) Auction house.
- 19 (KK) Borrow pit for construction.
- 20 (LL) Child or adult daycare center, pursuant to Section 5-609.
- 21 (MM) Commuter parking lot with greater than 50 spaces.
- 22 (NN) Congregate housing facility.
- 23 (OO) Country club.
- 24 (PP) Educational or research facility related to uses permitted in this  
25 district.

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| 1  | (QQ)                  | Fairgrounds.   |
| 2  | (RR)                  | Golf course  |
| 3  | (SS)                  | Marina.  |
| 4  | (TT)                  | Playing fields and courts, lighted.                                  |
| 5  | (UU)                  | Public or private community or regional park.                        |
| 6  | (VV)                  | Radio and/or television tower.                                       |
| 7  | (WW)                  | Sawmill, pursuant to Section 5-629.                                  |
| 8  | (XX)                  | Sewage treatment plant.  |
| 9  | (YY)                  | Agricultural processing facilities such as, abattoir, cannery, grain |
| 10 |                       | mill, and the like.  |
| 11 | <del>(ZZ)</del>       | <del>Water treatment plant, pursuant to Section 5-621.</del>         |
| 12 | <del>(AAA)(ZZ)</del>  | Animal hospital.   |
| 13 | <del>(BBB)(AAA)</del> | Water storage tank.  |
| 14 | <del>(CCC)(BBB)</del> | Utility substation, distribution, pursuant to Section 5-616.         |
| 15 | <del>(DDD)(CCC)</del> | Rural resort, pursuant to Section 5-601.                             |
| 16 | <del>(EEE)(DDD)</del> | Crematorium, pursuant to Section 5-637.                              |
| 17 | <del>(FFF)(EEE)</del> | Rural agricultural corporate retreat, pursuant to Section 5-         |
| 18 |                       | 619.   |
| 19 | <del>(GGG)(FFF)</del> | Vegetative waste <del>composting management</del> facility.          |
| 20 | <del>(HHH)(GGG)</del> | Recreation establishment, outdoor <u>or indoor</u> .                 |
| 21 | <del>(HH)(HHH)</del>  | Magazine contained explosives facility, pursuant to Section          |
| 22 |                       | 5-622.   |
| 23 | <del>(JJJ)(III)</del> | Telecommunications tower, pursuant to Section 5-                     |
| 24 |                       | 618(C)(2).   |
| 25 | <del>(KKK)(JJJ)</del> | Police Station.  |
| 26 | <b>2-404</b>          | <b>Lot Requirements (See Section 1-205).</b>                         |

- (A) **Size.** Three (3) acres minimum.
- (B) **Width.** Three hundred (300) feet minimum for lots fronting on Class I Roads; two hundred (200) feet minimum for lots fronting on Class II or III Roads; and fifty (50) feet minimum for lots fronting on a private access easement.
- (C) **Length/Width Ratio.** ~~3.5~~ 5:1 maximum.
- (D) **Yards.** No building shall be located within twenty five (25) feet of any property line nor within one hundred (100) feet from the right of way of any arterial road, seventy five (75) feet from the right of way of any collector road, and thirty five (35) feet from any other road right of way, private access easement, and any prescriptive easement.

**2-405 Building Requirements.**

(A) **Lot Coverage.**

(1) Residential: Eight (8) percent maximum, based on gross acreage, excluding agricultural structures.

(2) Non-residential: Fifteen (15) percent maximum, based on gross acreage, excluding agricultural structures.

- (B) **Building Height.** Thirty five (35) feet maximum, except no restriction for buildings used exclusively for agriculture.

**2-406 Use Limitations.**

- (A) No non-agricultural use shall be permitted which, because of its nature, location, or manner of operation, is dangerous or noxious because of noise, odor, fumes, gas, glare, light, vibration, smoke, emission of particulate matter or effluents, or for other similar reasons.
- (B) Except as expressly allowed by this Ordinance, no municipal and/or communal wastewater treatment systems shall be established or extended in the A-3 district.
- (C) Except as expressly allowed by this Ordinance, no municipal and/or communal water service or system shall be established or extended in the A-3 district.

(N) Commuter parking lot, with less than 50 spaces.

~~(O) Construction and/or sales trailer, during period of construction activity.~~

~~(P)(O)~~ Nursery, production with state road frontage, pursuant to Section 5-605.

~~(Q)(P)~~ Recycling drop off collection center, small, pursuant to Section 5-607.

~~(R)(O)~~ Sewer pumping station pursuant to Section 5-621.

~~(S)(R)~~ Stable, neighborhood, on greater than twenty-five (25) acres with frontage on a state maintained road.

~~(T)(S)~~ Stable, private.

~~(U)(T)~~ Utility substation, dedicated.

~~(V)(U)~~ Water pumping station, pursuant to Section 5-621.

~~(W) Portable dwelling/trailer during construction of primary residence.~~

~~(X)(V)~~ School, public.

~~(Y)(W)~~ Pet Farm.

~~(Z)(X)~~ Compact cluster development option, pursuant to Section 2-507.

~~(AA)(Y)~~ Telecommunications antenna, pursuant to Section 5-618(A).

~~(BB)(Z)~~ Telecommunications monopole, pursuant to Section 5-618(B)(1).

**2-504**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

(A) Bed and breakfast inn, pursuant to Section 5-601(B).

(B) Cemetery, mausoleum, or memorial park, pursuant to Section 5-637.

(C) Church, synagogue and temple.

(D) Community center.

- 1 (AA) Playing fields and courts, lighted.
- 2 (BB) Public or private community or regional park.
- 3 (CC) Public utility service center and storage yard.
- 4 (DD) Radio and/or television tower.
- 5 (EE) Continuing care facility.
- 6 (FF) School.
- 7 (GG) Utility substation, transmission, pursuant to Section 5-616.
- 8 (HH) Water storage tank.
- 9 (II) Utility substation, distribution, pursuant to Section 5-616.
- 10 (JJ) Rural resort, pursuant to Section 5-601.
- 11 (KK) Crematorium, pursuant to Section 5-637.
- 12 (LL) Recreation establishment, outdoor.
- 13 (MM) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- 14 (NN) Telecommunications tower, pursuant to Section 5-618(C)(2).
- 15 (OO) Police Station.
- 16 **2-505 Lot Requirements for Lots Served By On-site Well and Wastewater**
- 17 **Systems.**
- 18 (A) Size. Forty thousand (40,000) square feet minimum.
- 19 (B) Width. 175 feet minimum.
- 20 (C) Yards. Each lot shall provide the following yards:
- 21 (1) Front. Thirty five (35) feet minimum.
- 22 (2) Side. Minimum of twelve (12) feet on one side and nine
- 23 (9) feet on the other side.
- 24 (3) Rear. Fifty (50) feet minimum.
- 25 (D) Length/Width Ratio. ~~2-5~~5:1 maximum.

(E) Maximum Residential Density. One lot per 40,000 square feet calculated on the overall parcel, exclusive of streets.

**2-506**

**Lot Requirements for Lots Served by Public Sewer/Cluster Option.**

- (A) Size. Twenty thousand (20,000) square feet minimum.
- (B) Width. Seventy-five (75) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
  - (1) Front. Twenty-five (25) feet minimum.
  - (2) Side. Nine (9) feet minimum.
  - (3) Rear. Twenty-five (25) feet minimum.
- (D) Length/Width Ratio. ~~4.0~~ 5:1 maximum.
- (E) Minimum Open Space Area. Open space shall be provided in a sufficient amount such that gross density of one lot per forty thousand (40,000) square feet is maintained calculated based on the overall parcel. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (F) Minimum Buffer/Setback. A permanent building setback of Fifty (50) feet in depth with a Category 1 Buffer Yard (Section 5-1414[B]) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of twenty thousand (20,000) square feet or greater. Such buffer may be included in open space calculations.
- (G) Utilities. Public sewer facilities must be provided to the site. Nothing herein shall be construed as requiring the extension of central or municipal utilities to any site or property.

**2-507**

**Lot Requirements for Compact Cluster Development Option.**

- (A) Size. Fifteen thousand (15,000) square feet minimum.
- (B) Width. Sixty (60) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
  - (1) Front. Fifteen (15) feet minimum.

(2) Side. Nine (9) feet minimum.

(3) Rear. Twenty-five (25) feet minimum.

(D) Length/Width Ratio. ~~4.0~~ 5:1 maximum.

(E) Minimum Open Space Area. Open space shall be provided in a sufficient amount such that gross density of one lot per forty thousand (40,000) square feet is maintained calculated based on the overall parcel. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(F) Minimum Buffer/Setback. A permanent building setback of fifty (50) feet in depth with a Category 1 Buffer Yard (Section 5-1414[B]) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of fifteen thousand (15,000) square feet or greater. Such buffer may be included in open space calculations.

(G) Utilities. Both public water and public sewer facilities must be provided to serve the site. Nothing herein shall be construed as requiring the extension of central or municipal utilities to any site or property.

(H) Lot Design Requirements.

(1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.

(2) Garages shall be set back at least twenty (20) feet behind the front line of buildings.

(I) Other Requirements.

(1) Blocks shall generally be in a grid pattern, with interconnecting streets and alleys.

(2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

**2-508**

**Building Requirements for Lots Served By On-site Well And Wastewater Systems.**

(A) Lot Coverage. Fifteen (15) percent maximum.

(B) Building Height. Forty (40) ~~Thirty five (35)~~ feet maximum.

**2-509**

**Building Requirements for Lots Served By Public Sewer/Cluster Option and Compact Cluster Development Option.**

(A) Lot Coverage. Twenty five (25) percent maximum.

(B) Building Height. Forty (40) ~~Thirty five (35)~~ feet maximum.

**2-510**

**Utility Requirements.** All utility distribution lines located in the CR-1 district shall be placed underground.

**2-511**

**Development Setback and Access from Major Roads.** In designing residential development, the ~~following~~ requirements of Section 5-900 shall be observed.÷

~~(A)Setback. No building shall be located any closer than one hundred (100) feet from the right of way of any arterial road and seventy five (75) feet from the right of way of a major collector and thirty five (35) feet from any other road right of way, private access easement and prescriptive easement.~~

~~(B)Access. No individual lot created after adoption of this Ordinance shall have direct access to an arterial or major collector road unless; said lot which is the subject of a boundary line adjustment application was previously provided access from said arterial or major collector road or said lot is the subject of a subdivision application for three (3) lots or less within this district.~~

**Section 2-600**

**Countryside Residential-2: CR-2**

**2-601**

**Purpose.** This district is established to foster the conversion of existing residential properties zoned R-2 under the 1972 Zoning Ordinance which are not served by communal or municipal water and sewer facilities. These areas can be served by on-site well and wastewater systems at lower densities, but are areas in which the County allows higher densities when a cluster development pattern is served by public water and/or sewer facilities to preserve open space and to achieve a traditional design as envisioned in the Comprehensive Plan.

**2-602**

**Size and Location.** The Comprehensive Plan does not support the creation of additional districts having development of a type characteristic of a CR-2 district, and this district is not intended to be enlarged beyond the limits mapped to this district with the adoption of this Ordinance.

**2-603**

**Permitted Uses.** The following uses are permitted in this district:

- (A) Agriculture, horticulture, forestry and fisheries, pursuant to Section 5-626.
- (B) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (C) Bed and breakfast homestay, pursuant to Section 5-601(A).
- (D) Child care home, pursuant to Section 5-609(A).
- (E) Nature preserve, such as but not limited to, wildlife sanctuary, conservation area, and game preserve.
- (F) Dwelling, single family detached.
- (G) Guest house, pursuant to Section 5-612.
- (H) Home occupation, pursuant to Section 5-400.
- (I) Public or private playground, or neighborhood park.
- (J) Tenant dwelling, pursuant to Section 5-602(A)&(C).
- (K) Compact cluster development option, pursuant to Section 2-607.
- (L) Bus shelter.
- (M) Commuter parking, lot, with less than 50 spaces.

~~(N) Construction and/or sales trailer, during period of construction activity.~~

~~(N)~~ Recycling drop off collection center, small, pursuant to Section 5-607.

~~(P)~~(O) Sewer pumping station, pursuant to Section 5-621.

~~(P)~~(P) Utility substation, dedicated.

~~(R)~~(O) Water pumping station, pursuant to Section 5-621.

~~(S)~~ Portable dwelling/ trailer during construction of primary residence.

~~(T)~~(R) School, private elementary or middle, for fifteen (15) or less pupils.

~~(U)~~(S) School, public.

~~(V)~~(T) Pet Farm.

~~(W)~~(U) Telecommunications antenna, pursuant to Section 5-618(A).

~~(X)~~(V) Telecommunications monopole, pursuant to Section 5-618(B)(1).

**2-604**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

(A) Bed and breakfast inn, pursuant to Section 5-601(B).

(B) Cemetery, mausoleum, or memorial park, pursuant to Section 5-637.

(C) Church, synagogue and temple.

(D) Community center.

(E) Congregate housing facility.

(F) Country club.

(G) Country inn, pursuant to Section 5-601(C).

(H) Fire and/or rescue station.

(I) Orphanage, or other similar institution.

(J) Private club or lodge.

- (C) Yards. Each lot shall provide the following yards:
- (1) Front. Twenty five (25) feet minimum.
  - (2) Side. Minimum of twelve (12) feet on one side and nine (9) feet on the other side.
  - (3) Rear. Fifty (50) feet minimum.
- (D) Length/Width Ratio. ~~2.5~~ 5:1 maximum.

(E) Maximum Residential Density. One lot per 40,000 square feet calculated on the overall parcel, exclusive of streets.

**2-606 Lot Requirements for Lots Served by Either Public Water or Public Sewer.**

- (A) Size. Twenty thousand (20,000) square feet minimum.
- (B) Width. Seventy five (75) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
  - (1) Front. Twenty five (25) feet minimum.
  - (2) Side. Nine (9) feet minimum.
  - (3) Rear. Twenty five (25) feet minimum.
- (D) Length/Width Ratio. ~~4~~ 5:1 maximum.
- (E) Utilities. Public water and/or public sewer facilities must be provided to serve the site. Nothing herein shall be construed as requiring the extension of central or municipal utilities to any site or property.

(F) Maximum Residential Density. One lot per 20,000 square feet calculated on the overall parcel, exclusive of streets.

**2-607 Lot Requirements for Compact Cluster Development Option.**

- (A) Size. Ten thousand (10,000) square feet minimum.
- (B) Width. Fifty (50) feet minimum.
- (C) Yards. Each lot shall provide the following yards:

(1) Front. Fifteen (15) feet minimum.

(2) Side. Nine (9) feet minimum.

(3) Rear. Twenty five (25) feet minimum.

(D) Length/Width Ratio: 4.5:1 maximum.

(E) Minimum Open Space Area. Open space shall be provided in a sufficient amount such that gross density of one lot per twenty thousand (20,000) square feet is maintained calculated based on the overall parcel. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(F) Minimum Buffer/Setback. A permanent building setback of fifty (50) feet in depth with a Category 1 Buffer Yard (Section 5-1414[B]) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of twenty thousand (20,000) square feet or greater. Such buffer area may be included in open space calculations.

(G) Utilities: Both public water and public sewer facilities must be provided to the site. Nothing herein shall be construed as requiring the extension of central or municipal utilities to any site or property.

(H) Lot Design Requirements.

(1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.

(2) Garages shall be set back at least 20 feet behind the front line of buildings.

(I) Other Requirements.

(1) Blocks shall generally be in a grid pattern, with interconnecting streets and alleys.

(2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

1           **2-608           Building Requirements for Lots Served By On-Site Well and**  
2                           **Wastewater Systems.**

3                           (A)    Lot Coverage. Fifteen (15) percent maximum.

4                           (B)    Building Height. Forty (40) ~~Thirty five (35)~~ feet maximum.

5           **2-609           Building Requirements for Lots Served by Either Public Water or**  
6                           **Public Sewer.**

7                           (A)    Lot Coverage. Twenty five (25) percent maximum.

8                           (B)    Building Height. Forty (40) ~~Thirty five (35)~~ feet maximum.

9           **2-610           Building Requirements for Compact Cluster Development Option.**

10                          (A)    Lot Coverage. Thirty five (35) percent maximum.

11                          (B)    Building Height. Forty (40) ~~Thirty five (35)~~ feet maximum.

12           **2-611           Utility Requirements.** All utility distribution lines located in the CR-2  
13                           district shall be placed underground.

14           **2-612           Development Setback and Access from Major Roads.** In designing  
15                           residential development, the ~~following~~ requirements of Section 5-900 shall  
16                           be observed.÷

17                          ~~(A)Setback. No building shall be located any closer than one hundred~~  
18   ~~(100) feet from the right of way of any arterial road and seventy~~  
19   ~~five (75) feet from the right of way of a major collector, and~~  
20   ~~twenty five (25) feet from any other road right of way, any private~~  
21   ~~access easement and any prescriptive easement, except where lots~~  
22   ~~are developed pursuant to Section 2-607.~~

23                          ~~(B)Access. No individual lot created after the adoption of this Ordinance~~  
24   ~~shall have direct access to an arterial or major collector road~~  
25   ~~unless; said lot which is the subject of a boundary line adjustment~~  
26   ~~application was previously provided access from said arterial or~~  
27   ~~major collector road or said lot is the subject of a subdivision~~  
28   ~~application for three (3) lots or less within this district.~~

(O) Utility substation, dedicated.

~~(P) Construction and/or sales trailer, during period of construction activity.~~

~~(Q) Portable dwelling/trailer during construction of primary residence.~~

~~(R)~~(P) School, private elementary or middle, for less than 15 pupils.

~~(S)~~(Q) School, public.

~~(T)~~(R) Pet Farm.

~~(U)~~(S) Telecommunications antenna, pursuant to Section 5-618(A).

~~(V)~~(T) Telecommunications monopole, pursuant to Section 5-618(B)(1).

**2-704**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

(A) Bed and breakfast inn, pursuant to Section 5-601(B).

(B) Cemetery, mausoleum, or memorial park, pursuant to Section 5-637.

(C) Church, synagogue and temple, pursuant to Section 5-639.

(D) Community center.

(E) Congregate housing facility.

(F) Country club.

(G) Country inn, pursuant to Section 5-601(C).

(H) Fire and/or rescue station.

(I) Orphanage or other similar institution.

(J) Private club or lodge.

(K) School.

(L) Sewage treatment plant, pursuant to Section 5-621.

(M) Utility transmission lines, overhead.

(D) Length/Width Ratio: ~~2.5~~ 5:1 maximum.

(E) Maximum Residential Density. One lot per 40,000 square feet calculated on the overall parcel, exclusive of streets.

**2-706**

**Lot Requirements for Lots Served by Public Sewer Only.**

(A) Size. Fifteen (15,000) square feet minimum.

(B) Width. Sixty (60) feet minimum.

(C) Yards. Each lot shall provide the following yards:

(1) Front. Twenty five (25) feet minimum.

(2) Side. Nine (9) feet minimum.

(3) Rear. Twenty five (25) feet minimum.

(D) Length/Width Ratio: ~~4~~ 5:1 maximum.

(E) Utilities. Public sewer facilities shall be provided to serve the site. Nothing herein shall be construed as requiring the extension of central or municipal utilities to any site or property.

(F) Maximum Residential Density. One lot per 15,000 square feet calculated on the overall parcel, exclusive of streets.

**2-707**

**Lot Requirements for Compact Cluster Development Option.**

(A) Size. Ten thousand (10,000) square feet minimum to fifteen thousand (15,000) square feet maximum.

(B) Width. Fifty (50) feet minimum.

(C) Yards. Each lot shall provide the following yards:

(1) Front. Fifteen (15) feet minimum.

(2) Side. Nine (9) feet minimum.

(3) Rear. Twenty five (25) feet minimum.

(D) Length/Width Ratio: ~~4~~ 5:1 maximum.

(E) Minimum Open Space Area. Open space shall be provided in a sufficient amount such that a gross density of one lot per fifteen

thousand (15,000) square feet is maintained, calculated based on the overall parcel. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(F) Minimum Buffer/Setback. A permanent building setback of fifty (50) feet in depth with a Category 1 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development, which has a minimum allowable lot size of fifteen thousand (15,000) square feet or greater. Such buffer area may be included in open space calculations.

(G) Utilities. Both public water and public sewer shall be provided to serve the site. Nothing herein shall be construed as requiring the extension of central or municipal utilities to any site or property.

(H) Lot Design Requirements.

(1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.

(2) Garages shall be set back at least twenty (20) feet behind the front line of buildings.

(I) Other Requirements.

(1) Blocks shall generally be in a grid pattern, with interconnecting streets and alleys.

(2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

**2-708 Building Requirements for Lots Served by On-site Well and Wastewater Systems.**

(A) Lot Coverage. Fifteen (15) percent maximum.

(B) Building Height. ~~Forty (40) Thirty five (35)~~ feet maximum.

**2-709 Building Requirements for Lots Served by Public Sewer Only.**

(A) Lot Coverage. Twenty five (25) percent maximum.

(B) Building Height. ~~Forty (40) Thirty five (35)~~ feet maximum.

**2-710 Building Requirements for Compact Cluster Development Option.**

(A) Lot Coverage. Thirty five (35) percent maximum.

(B) Building Height. Forty (40) ~~Thirty five (35)~~ feet maximum.

**2-711 Utility Requirements.** All utility distribution lines located in the CR-3 district shall be placed underground.

**2-712 Development Setback and Access from Major Roads.** In designing residential development, the ~~following~~ requirements of Section 5-900 shall be observed.÷

~~(A)Setback. No building shall be located any closer than one hundred (100) feet from the right of way of any arterial road and seventy five (75) feet from the right of way of a major collector, and twenty five (25) feet from any other road right of way, private access easement and prescriptive easement, except where lots are developed pursuant to Section 2-707.~~

~~(B)Access. No individual lot created after adoption of this Ordinance shall have direct access to an arterial or major collector road unless; said lot which is the subject of a boundary line adjustment application was previously provided access from said arterial or major collector road or said lot is the subject of a subdivision application for three (3) lots or less within this district.~~

~~(O) Construction and/or sales trailer, during period of construction activity.~~

~~(P)(O)~~ School, public.

~~(Q)(P)~~ Pet Farm.

~~(R)(Q)~~ Telecommunications antenna, pursuant to Section 5-618(A).

~~(S)(R)~~ Telecommunications monopole, pursuant to Section 5-618(B)(1).

**2-804**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

(A) Cemetery, mausoleum, or memorial park.

(B) Church, synagogue and temple.

(C) Community center.

(D) Congregate housing facility.

(E) Country club.

(F) Country inn, pursuant to Section 5-601(C).

(G) Fire and/or rescue station.

(H) Orphanage or other similar institution.

(I) Private club or lodge.

(J) School.

(K) Sewage treatment plant, pursuant to Section 5-621.

(L) Utility transmission lines, overhead.

(M) Water treatment plant, pursuant to Section 5-621.

(N) Library.

(O) Golf course.

(P) Child or adult daycare center, pursuant to Section 5-609.

(Q) Commuter parking lot, with greater than 50 spaces.

- (R) Structure or use primarily for federal, state, county, or local governmental purposes, not otherwise listed.
- (S) Playing fields and courts, lighted.
- (T) Public or private community or regional park.
- (U) Radio and/or television tower.
- (V) Utility substation, transmission, pursuant to Section 5-616.
- (W) Water storage tank.
- (X) Utility substation, distribution, pursuant to Section 5-616.
- (Y) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (Z) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (AA) Police Station.

**2-805**

**Lot Requirements for Lots Served by On-Site Well and Wastewater Systems.**

- (A) Size. Forty thousand (40,000) square feet minimum.
- (B) Width. One hundred seventy five (175) feet minimum.
- (C) Yards. Each lot shall provide the following yards:
  - (1) Front. Twenty five (25) feet minimum.
  - (2) Side. Minimum of twelve (12) feet on one side and nine (9) feet on the other side.
  - (3) Rear. Fifty (50) feet minimum.
- (D) Length/Width Ratio: ~~2.5~~ 5:1 maximum.
- (E) Maximum Residential Density. One lot per 40,000 square feet calculated on the overall parcel, exclusive of streets.

**2-806**

**Lot Requirements for Lots Served by Either Public Water or Public Sewer.**

- (A) Size. Fifteen thousand (15,000) square feet minimum.

(B) Width. Sixty (60) feet minimum.

(C) Yards. Each lot shall provide the following yards:

(1) Front. Twenty five (25) feet minimum.

(2) Side. Nine (9) feet minimum.

(3) Rear. Twenty five (25) feet minimum.

(D) Length/Width Ratio: 4.5:1 maximum.

(E) Maximum Residential Density. One lot per 15,000 square feet calculated on the overall parcel, exclusive of streets.

**2-807 Lot Requirements for Lots Served by Both Public Water and Public Sewer.**

(A) Size. Ten thousand (10,000) square feet minimum.

(B) Width. Fifty (50) feet minimum.

(C) Yards. Each lot shall provide the following yards:

(1) Front. Fifteen (15) feet minimum.

(2) Side. Nine (9) feet minimum.

(3) Rear. Twenty five (25) feet minimum.

(D) Length/Width Ratio. 4.5:1 maximum.

(E) Lot Design Requirements.

(1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.

(2) Garages shall be set back at least twenty (20) feet behind the front line of buildings.

(F) Other Requirements.

(1) Blocks shall generally be in a grid pattern, with interconnecting streets and alleys.

- (2) Parallel parking may be provided on streets in front of residential lots except lots fronting on collector and arterial roads.

(G) Maximum Residential Density. One lot per 10,000 square feet calculated on the overall parcel, exclusive of streets.

**2-808 Building Requirements for Lots Served by On-Site Well and Wastewater Systems.**

- (A) Lot Coverage. Fifteen (15) percent maximum.

- (B) Building Height. Forty (40) ~~Thirty five (35)~~ feet maximum.

**2-809 Building Requirements for Lots Served by Either Public Water or Public Sewer.**

- (A) Lot Coverage. Twenty five (25) percent maximum.

- (B) Building Height. Forty (40) ~~Thirty five (35)~~ feet maximum.

**2-810 Building Requirements for Lots Served by Both Public Water and Public Sewer.**

- (A) Lot Coverage. Thirty five (35) percent maximum.

- (B) Building Height. Forty (40) ~~Thirty five (35)~~ feet maximum.

**2-811 Utility Requirements.** All utility distribution lines located in the CR-4 district shall be placed underground.

**2-812 Development Setback and Access from Major Roads.** In designing residential development, the ~~following~~ requirements of Section 5-900 shall be observed.:

~~(A)Setback. No building shall be located any closer than one hundred (100) feet from the right of way of any arterial road and seventy five (75) feet from the right of way of a major collector, and twenty five (25) feet from any other road right of way, private access easement and prescriptive easement, except where lots are developed pursuant to Section 2-807.~~

~~(B)Access. No individual lot created after adoption of this Ordinance shall have direct access to an arterial or major collector road unless said lot, which is the subject of a boundary line adjustment application, was previously provided access from said arterial or~~

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~~major collector road or said lot is the subject of a subdivision  
application for three (3) lots or less within this district.~~

- 1 | (M) Restaurant, including carry out ~~only~~.
- 2 (N) Residential uses.
- 3 (O) Retail sales establishment.
- 4 (P) Studio space - artist, crafts person, writer, etc.
- 5 (Q) Bank or financial institution, pursuant to Section 5-659.
- 6 (R) Theatre, indoor.
- 7 (S) Home service establishment.
- 8 (T) Office, administrative, business, and professional.
- 9 (U) Office, medical and dental.
- 10 (V) Park.
- 11 (W) Veterinary service.
- 12 (X) Wayside stand.
- 13 (Y) Commuter parking lot.
- 14 (Z) Facilities for lessons in dance, gymnastics, judo, and sports  
15 training.
- 16 (AA) Utility substation, dedicated.
- 17 (BB) Animal hospital.
- 18 (CC) Church, synagogue, and temple.
- 19 (DD) Dwelling, accessory to a permitted or special exception use.
- 20 (EE) Farm supplies.
- 21 (FF) Printing service.
- 22 (GG) Water pumping station, pursuant to Section 5-621.
- 23 (HH) Sewer pumping station, pursuant to Section 5-621.
- 24 (II) Food store.
- 25 (JJ) Library.

- (KK) Telecommunications antenna, pursuant to Section 5-618(A).
- (LL) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (MM) Contractor's Service Establishment, limited to landscape contractors and lawn maintenance services.

~~(NN) Mill, feed and grain.~~

~~(OO) Training Facility, accessory to a permitted or special exception use.~~

**2-904**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300.

(A) Any one permitted use in excess of 10,000 sq. ft. in gross floor area provided that agricultural uses, mill, feed and grain, farm supplies, farm market, and farm machinery sales and service are not subject to this limit.

~~(B) Any one permitted use which exceeds 50% of the gross floor area of the rural commercial district in which it is located.~~

~~(C)(B)~~ Auction facility, livestock.

~~(D)(C)~~ Automobile service station.

~~(E)(D)~~ Funeral home or mortuary.

~~(F) Restaurant.~~

~~(G)(E)~~ Private club or lodge.

~~(H)(F)~~ Motor vehicle sales and accessory service.

~~(I)(G)~~ Hotel/Motel.

~~(J)(H)~~ Motor vehicle service and repair, accessory to an approved use.

~~(K) Mill, feed and grain.~~

~~(L)(I)~~ Gas pumps accessory to a convenience food store, pursuant to Section 5-617.

~~(M)(J)~~ Recreation establishment, outdoor.

~~(N)(K)~~ Fire and/or rescue station.

~~(O)(L)~~ Mass transit facilities and stations.

~~(P)(M)~~ Adult daycare center.

~~(Q)(N)~~ Child care center, pursuant to Section 5-609.

~~(R)(O)~~ Recreation establishment, indoor.

~~(S)(P)~~ Auction house.

~~(T)(Q)~~ Sewage treatment plant, pursuant to Section 5-621.

~~(U)(R)~~ Water treatment plant, pursuant to Section 5-621.

~~(V)(S)~~ Water storage tank, pursuant to Section 5-621.

~~(W)(T)~~ Crematorium, pursuant to Section 5-637.

~~(X)(U)~~ School, private, accessory to a church.

~~(Y)(V)~~ Car wash, accessory to a convenience food store, pursuant to Section 5-617.

~~(Z)(W)~~ Telecommunications monopole, pursuant to Section 5-618(B)(2).

~~(AA)(X)~~ Telecommunications tower, pursuant to Section 5-618(C)(2).

~~(BB)(Y)~~ Police Station.

~~(Z)~~ Training Facility.

## **2-905**

### **Lot Requirements.**

- (A) **Size.** Ten thousand (10,000) square feet minimum
- (B) **Width.** Fifty (50) feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** No minimum.
  - (2) **Side.** No requirement, except fifteen (15) feet for a non-residential use abutting a lot used for residential purposes,

1 or a lesser distance to continue the setback of an existing  
2 building.

- 3 (3) **Rear.** No requirement, except thirty (30) feet for a non-  
4 residential use abutting a lot used for residential purposes,  
5 or a lesser distance to continue the setback of an existing  
6 building.

- 7 (D) **Length/Width Ratio.** ~~3~~ 5:1 maximum.

8 **2-906 Building Requirements.**

- 9 (A) **Lot Coverage.** Seventy (70) percent maximum.

- 10 (B) **Building Height.** ~~Forty (40)~~ Thirty five (35) feet maximum.

- 11 (C) **Floor Area Ratio.** .40 maximum.

12 **2-907 Use Limitations.**

- 13 (A) On-street parking may be provided in the rural commercial district.  
14 In addition, off-street parking on the side and rear of the lot is  
15 preferred. Where off-street parking is provided in the front, such  
16 parking shall be effectively screened, landscaped and buffered to  
17 protect the surrounding residential district from undesirable views,  
18 lighting, noise, or other adverse impacts.

- 19 (B) Dwellings, shops and workplaces shall be generally located in  
20 close proximity to each other.

- 21 (C) Buildings shall front on and be aligned with streets.

- 22 (D) Streets and blocks shall have a general rectilinear pattern.

- 23 (E) The development shall be a size and scale which accommodates  
24 and promotes pedestrian travel rather than motor vehicle use.

- 25 (F) All utility distribution lines located in the RC district shall be  
26 placed underground.

- 27 (G) Multiple vehicular entrances along streets which present a threat to  
28 public safety through numerous vehicular turning movements, and  
29 which inhibit higher operating speeds and higher levels of service  
30 shall be prohibited.

- 31 (H) Strip commercial development patterns which produce aesthetic  
32 conditions characterized by marked and discordant contrast with

the predominantly rustic open character of the County's major highways shall be prohibited.

**2-908 Administrative Waivers and Modifications of Buffering and Screening Requirements and Parking Lot Landscaping and Screening Requirements**

- (A) Uses that are subject to parking lot landscaping and screening as required by Section 5-1413, and buffering and screening as required by Section 2-907, may pursue an administrative waiver and modification process, whereby the parking lot landscaping and screening may be waived, reduced or modified by the Zoning Administrator, where the strict adherence to the provisions of Section 5-1413 would reduce the usable area of a lot to a point which would preclude reasonable use of the lot, or the expansion of an existing use (provided required setbacks are met) for a permitted or special exception use. Parking lot landscaping and screening may be waived reduced or modified by the Zoning Administrator, if it is demonstrated that the site has been designed to minimize adverse impacts through a combination of architectural, landscape and/or other design techniques.

**2-909 Administrative Reductions, Waivers, or Modifications of Parking Requirements**

- (A) The Zoning Administrator may grant administrative reductions, waivers, or modifications of parking requirements for permitted or special exception uses contained in Sections 2-903 and 2-904 above, in accordance with the provisions of Section 5-1100 (F), as applicable.

**2-910 Development Setback and Access From Major Roads. In designing nonresidential development, the requirements of Section 5-900 shall be observed.**

(E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1003 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the "Additional Regulations for Specific Uses" in Section 5-600.

TABLE 2-1003  
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE

P = PERMITTED S = SPECIAL EXCEPTION

| USE CATEGORY             | USE TYPE  | JLMA-1       | ADDITIONAL REGULATIONS FOR SPECIFIC USES      |
|--------------------------|---|--------------|---|
| <b>RESIDENTIAL USES</b>  |   |              |   |
| <b>Household Living</b>  | Accessory dwelling (accessory to single family detached dwelling)             | P            | Section 5-613                                 |
|                          | Dwelling, single-family detached, including manufactured housing              | P            | Manufactured housing subject to Section 5-620 |
|                          | Guest house (accessory to single family detached dwelling)                    | P            | Section 5-612                                 |
|                          | Home occupation (accessory to single family detached dwelling)                | P            | Section 5-400                                 |
|                          | <del>Model home</del>   | <del>P</del> | <del>Section 5-500(A)</del>                   |
|                          | <del>Portable dwelling/trailer during construction of primary residence</del> | <del>P</del> | <del>Section 5-500</del>                      |
| <b>Group Living</b>      | Congregate housing facility   | S            |   |
|                          | Continuing care facility  | S            |   |
|                          | Orphanage or similar institution  | S            |   |
|                          | Tenant dwelling   | S            | Section 5-602                                 |
| <b>AGRICULTURAL USES</b> |   |              |   |
| <b>Agriculture</b>       | General Use Category  | P            | Section 5-626                                 |
| <b>Horticulture</b>      | General Use Category  | P            | Section 5-626                                 |
| <b>Animal Husbandry</b>  | General Use Category  | P            | Section 5-626                                 |

**TABLE 2-1003  
JLMA-1 JOINT LAND MANAGEMENT AREA-1 DISTRICT USE TABLE**

**P = PERMITTED S = SPECIAL EXCEPTION**

| USE CATEGORY                                  | USE TYPE  | JLMA-1   | ADDITIONAL REGULATIONS FOR SPECIFIC USES |
|---|---|----------|--|
| <b>Office</b>                                 | <del>Construction and/or sales trailer, during period of construction activity subject to establishment of date certain for removal</del> | <b>P</b> |  |
| <b>Recreation and Entertainment</b>           | Camp, day and boarding  | S        | Section 5-645                            |
|   | Golf course   | S        | Section 5-648                            |
| <b>Retail Sales and Service</b>               | Artist studio   | S        |  |
|   | Small business  | P/S      | Section 5-614                            |
| <b>Visitor Accommodation</b>                  | Bed and breakfast, homestay   | P/S      | Section 5-601(A)                         |
|   | Bed and breakfast Inn   | S        | Section 5-601(A)                         |
| <b>INDUSTRIAL USES</b>                        |   |          |  |
| <b>Telecommunication Use and/or Structure</b> | Radio and/or television tower   | S        | Section 5-618                            |
|   | Telecommunications antenna  | P        | Section 5-618(A)                         |
|   | Telecommunications monopole   | P        | Section 5-618(B)(1)                      |
|   | Telecommunications monopole   | S        | Section 5-618(B)(2)                      |
|   | Telecommunication tower   | S        | Section 5-618(C)(2)                      |

**2-1004 Lot and Building Requirements.**

- (A) **Minimum Lot Size.** Twenty thousand (20,000) square feet.
- (B) **Minimum Lot Width.** Fifty (50) feet.
- (C) **Minimum Front Yard.** Thirty-five (35) feet.
- (D) **Minimum Rear Yard.** Twenty-five (25) feet.
- (E) **Minimum Side Yard.** Nine (9) feet.

(F) **Building Height.** ~~Forty (40) Thirty-five (35)~~ feet maximum.

**2-1005**

**General Development Requirements.** The following general development requirements shall apply to all development in the JLMA-1 district.

(A) **Minimum Open Space.** Thirty (30) percent. Active recreational uses may be located within the open space.

(B) **Maximum Gross Density.** The maximum gross residential density shall be one (1) unit per forty thousand (40,000) square feet, calculated based on the overall parcel, excluding roads. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(C) **Utilities.**

(1) Both municipal water and municipal sewer facilities must be provided to every development site, if available as determined by the Town, except for Town-owned or County-owned and operated public uses that may use communal systems (except in areas near Purcellville, which are subject to the existing annexation agreement between the County of Loudoun and the Town of Purcellville). If municipal water or municipal sewer facilities are not available, development may be served by private well or septic system, respectively.

(2) All utility distribution lines shall be placed underground. Private wells, septic systems, and communal systems may be located within the open space.

(D) **Neighborhood Development Standards.** To ensure new development in the JLMA-1 district reinforces existing development patterns in the adjacent town to the maximum extent feasible, reduces the need for automobile trips, minimizes the need for additional road improvements, and encourages walking to employment, shopping, and public facilities, development in this district shall meet the following requirements:

(1) **Street System/Connectivity.**

(a) **Connections to Existing Streets.** Connections to the existing or planned street system shall be made to the maximum extent feasible. All development plans shall incorporate and continue all streets

**TABLE 2-1103  
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

**P = PERMITTED S = SPECIAL EXCEPTION**

| <b>USE CATEGORY</b>   | <b>USE TYPE</b>   | <b>JLMA-2</b> | <b>ADDITIONAL REGULATIONS<br/>FOR SPECIFIC USES</b> |
|---|---|---------------|---|
| <b>RESIDENTIAL USES</b>   |   |               |   |
| <b>Household Living</b>   | Accessory dwelling (accessory to single family detached dwelling)         | <b>P</b>      | Section 5-613                                       |
|   | Dwelling, single-family detached, including manufactured housing          | <b>P</b>      | Manufactured housing subject to Section 5-620       |
|   | Guest house (accessory to single family detached dwelling)                | <b>P</b>      | Section 5-612                                       |
|   | Home occupation (accessory to single family detached dwelling)            | <b>P</b>      | Section 5-400                                       |
|   | <b>Model home</b>   | <b>P</b>      | <b>Section 5-500(A)</b>                             |
|   | <b>Portable dwelling/trailer during construction of primary residence</b> | <b>P</b>      | <b>Section 5-500</b>                                |
| <b>Group Living</b>   | Congregate housing facility   | <b>S</b>      |   |
|   | Continuing care facility  | <b>S</b>      |   |
|   | Orphanage or similar institution  | <b>S</b>      |   |
|   | Tenant dwelling   | <b>S</b>      | Section 5-602                                       |
| <b>AGRICULTURAL USES</b>  |   |               |   |
| <b>Agriculture</b>  | General Use Category  | <b>P</b>      | Section 5-626                                       |
| <b>Horticulture</b>   | General Use Category  | <b>P</b>      | Section 5-626                                       |
| <b>Animal Husbandry</b>   | General Use Category  | <b>P</b>      | Section 5-626                                       |
| <b>Agriculture Support and Services directly related to on-going agriculture,</b> | Agricultural processing   | <b>P</b>      | Section 5-627                                       |
|   | Animal care business  | <b>P</b>      | Section 5-627                                       |
|   | Custom operators  | <b>P</b>      | Section 5-627                                       |

**TABLE 2-1103  
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

**P = PERMITTED S = SPECIAL EXCEPTION**

| <b>USE CATEGORY</b>       | <b>USE TYPE</b>   | <b>JLMA-2</b> | <b>ADDITIONAL REGULATIONS<br/>FOR SPECIFIC USES</b> |
|---------------------------|---|---------------|---|
| <b>Public Safety</b>      | Fire and/or rescue station  | S             | Section 5-638                                       |
|                           | Police station or substation  | S             | Section 5-638                                       |
| <b>Religious Assembly</b> | Church, synagogue or temple,<br>with seating capacity of 300 or<br>less in sanctuary or main area   | P             | Section 5-639                                       |
|                           | Church, synagogue or temple,<br>with seating capacity of more<br>than 300 in sanctuary or main<br>activity area, or with accessory<br>schools, day care centers with<br>more than 50 children,<br>recreational facilities | S             | Section 5-639                                       |
| <b>Utility</b>            | Public utility service center<br>and storage yard   | S             | Section 5-621                                       |
|                           | Recycling drop off collection<br>center, public   | P             | Section 5-607                                       |
|                           | Recycling drop off collection<br>center, private  | S             | Section 5-607                                       |
|                           | Sewer and water treatment<br>plant  | S             | Section 5-621                                       |
|                           | Utility substation, distribution  | S             | Section 5-616                                       |
|                           | Utility transmission line,<br>overhead (excluding<br>connections of lines from<br>public utility transmission<br>lines to individual<br>development sites)  | S             | Unless excepted by Section 1-103 (D)                |
|                           | Sewage and Water pumping<br>station   | P             | Section 5-621                                       |
|                           | Water storage tank  | S             | Section 5-621                                       |
| <b>COMMERCIAL USES</b>    |   |               |   |
| <b>Food and Beverage</b>  | Restaurant  | S             | Section 5-643                                       |
| <b>Office</b>             | <del>Construction and/or sales<br/>trailer, during period of<br/>construction activity subject to<br/>establishment of date certain<br/>for removal</del>   | <del>P</del>  |   |

**TABLE 2-1103  
JLMA-2 JOINT LAND MANAGEMENT AREA-2 DISTRICT USE TABLE**

**P = PERMITTED S = SPECIAL EXCEPTION**

| <b>USE CATEGORY</b>                                   | <b>USE TYPE</b>               | <b>JLMA-2</b> | <b>ADDITIONAL REGULATIONS<br/>FOR SPECIFIC USES</b> |
|---|-------------------------------|---------------|---|
| <b>Recreation and<br/>Entertainment</b>               | Camp, day and boarding        | S             | Section 5-645                                       |
|   | Golf course                   | S             | Section 5-648                                       |
| <b>Retail Sales and<br/>Service</b>                   | Artist studio                 | S             |   |
|   | Small business                | P/S           | Section 5-614                                       |
| <b>Visitor<br/>Accommodation</b>                      | Bed and breakfast homestay    | P/S           | Section 5-601                                       |
|   | Bed and breakfast inn         | S             | Section 5-601                                       |
| <b>INDUSTRIAL USES</b>                                |                               |               |   |
| <b>Telecommunication<br/>Use and/or<br/>Structure</b> | Radio and/or television tower | S             | Section 5-618                                       |
|   | Telecommunications antenna    | P             | Section 5-618(A)                                    |
|   | Telecommunications monopole   | P             | Section 5-618(B)(1)                                 |
|   | Telecommunications monopole   | S             | Section 5-618(B)(2)                                 |
|   | Telecommunication tower       | S             | Section 5-618(C)(2)                                 |

**2-1104 Lot and Building Requirements.**

- (A) **Minimum Lot Size.** Ten thousand (10,000) square feet.
- (B) **Minimum Lot Width.** Fifty (50) feet.
- (C) **Minimum Front Yard.** Fifteen (15) feet.
- (D) **Minimum Rear Yard.** Twenty-five (25) feet.
- (E) **Minimum Side Yard.** Eight (8) feet
- (F) **Building Height.** ~~Forty (40)~~ ~~Thirty five (35)~~ feet maximum.

(E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1203 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600.

| TABLE 2-1203<br>JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE |  |        |   |
|--|--|--------|---|
| P = PERMITTED S = SPECIAL EXCEPTION                                    |  |        |   |
| USE CATEGORY   | USE TYPE   | JLMA-3 | ADDITIONAL REGULATIONS FOR SPECIFIC USES      |
| <b>RESIDENTIAL USES</b>  |  |        |   |
| <b>Household Living</b>  | Accessory apartment or dwelling (accessory to single family detached dwelling) | P      | Section 5-613                                 |
|  | Dwelling, single-family detached, including manufactured housing               | P      | Manufactured housing subject to Section 5-620 |
|  | Guest house (accessory to single family detached dwelling)                     | P      | Section 5-612                                 |
|  | Home occupation dwelling (accessory to single family detached dwelling)        | P      | Section 5-400                                 |
|  | Portable dwelling/trailer during construction of primary residence             | P      | Section 5-500                                 |
| <b>Group Living</b>  | Congregate housing facility  | S      |   |
|  | Continuing care facility   | S      |   |
|  | Convent, monastery, or seminary  | S      | Section 5-656                                 |
|  | Orphanage or similar institution   | S      |   |
|  | Tenant dwelling  | S      | Section 5-602                                 |
| <b>AGRICULTURAL USES</b>   |  |        |   |
| <b>Agriculture</b>   | General Use Category   | P      | Section 5-626                                 |
| <b>Horticulture</b>  | General Use Category   | P      | Section 5-626                                 |
| <b>Animal Husbandry</b>  | General Use Category   | P      | Section 5-626                                 |

**TABLE 2-1203  
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

**P = PERMITTED S = SPECIAL EXCEPTION**

| USE CATEGORY               | USE TYPE  | JLMA-3   | ADDITIONAL REGULATIONS<br>FOR SPECIFIC USES |
|----------------------------|---|----------|---|
| <b>Education</b>           | School (elementary or middle), for fifteen (15) or less pupils  | P        | Section 5-655                               |
|                            | School (elementary, middle, or high), for more than 15 pupils   | S        |   |
|                            | <u>School, Private</u>  | <u>S</u> |   |
| <b>Health Services</b>     | Office, medical   | S        |   |
|                            | Hospital  | S        | Section 5-610                               |
| <b>Park and Open Space</b> | Arboretum   | S        |   |
|                            | Cemetery  | S        | Section 5-637                               |
|                            | Mausoleum   | S        | Section 5-637                               |
|                            | Crematorium   | S        | Section 5-637                               |
|                            | Community, neighborhood or regional park, passive recreational uses   | P        |   |
|                            | Community, neighborhood or regional park, active recreational uses  | S        |   |
| <b>Public Safety</b>       | Fire and/or rescue station  | S        | Section 5-638                               |
|                            | Police station or substation  | S        | Section 5-638                               |
| <b>Religious Assembly</b>  | Church, synagogue or temple, with seating capacity of 300 or less in sanctuary or main area   | P        | Section 5-639                               |
|                            | Church, synagogue or temple, with seating capacity of more than 300 in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, recreational facilities | S        | Section 5-639                               |
| <b>Utility</b>             | Public utility service center and storage yard  | S        | Section 5-621                               |
|                            | Recycling drop off collection center, public  | P        | Section 5-607                               |

**TABLE 2-1203  
JLMA-3 JOINT LAND MANAGEMENT AREA-3 DISTRICT USE TABLE**

**P = PERMITTED S = SPECIAL EXCEPTION**

| USE CATEGORY                           | USE TYPE  | JLMA-3       | ADDITIONAL REGULATIONS FOR SPECIFIC USES |
|--|---|--------------|--|
|  | Sewage and water treatment plant  | S            | Section 5-621                            |
|  | Utility substation, dedicated   | P            | Section 5-621                            |
|  | Utility substation, transmission  | S            | Section 5-616 and 5-621                  |
|  | Utility transmission line, overhead (excluding connections of lines from public utility transmission lines to individual development sites) | S            | Unless excepted by Section 1-103(D)      |
|  | Sewage and water pumping station  | P            | Section 5-621                            |
|  | Water storage tank  | S            | Section 5-621                            |
| <b>COMMERCIAL USES</b>                 |   |              |  |
| <b>Conference and Training Centers</b> | Rural agricultural corporate retreat  | S            | Section 5-619                            |
| <b>Food and Beverage</b>               | Restaurant  | S            | Section 5-643                            |
| <b>Office</b>                          | <del>Construction and/or sales trailer, during period of construction activity subject to establishment of date certain for removal</del>   | <del>P</del> |  |
|  | Educational or research facility related to the uses in this district   | S            |  |
| <b>Recreation and Entertainment</b>    | Camp, day and boarding  | S            | Section 5-645                            |
|  | Country club  | S            |  |
|  | Golf course   | S            | Section 5-648                            |
|  | Private club or lodge   | S            |  |
|  | Recreation establishment, outdoor   | S            |  |
| <b>Retail Sales and Service</b>        | Artist studio   | S            |  |

(F) **Building Height.** ~~Forty (40) Thirty-five (35)~~ feet maximum, except no restriction for buildings used exclusively for agriculture.

(G) **Minimum Open Space.** Fifty (50) percent.

(H) **Gross Density.** One residential unit per three (3) acres.

**2-1205**

**Neighborhood Development Standards.** To ensure new development in the JLMA-3 district reinforces existing development patterns in the adjacent town to the maximum extent feasible, reduces the need for automobile trips, minimizes the need for additional road improvements, and encourages walking to employment, shopping, and public facilities, development in this district shall meet the following requirements:

(A) **Street System/Connectivity.**

(1) **Connections to Existing Streets.** Connections to the existing or planned street system shall be made to the maximum extent feasible. All development plans shall incorporate and continue all streets stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development.

(2) **Provision for Future Connections to Adjoining Land.** All developable land shall provide for future public street connections to adjacent developable parcels by providing a local street connection at least every six hundred sixty (660) feet along each subdivision plat boundary that abuts potentially developable or re-developable land, except that such street connections are not required on steep slope, MDOD sensitivity areas, or FOD pursuant to Sections 5-1508, 4-1600, and 4-1500.

(3) **Block Form and Size.** To the maximum extent feasible, blocks within developments shall maintain a rectilinear pattern except where deviation is necessitated by topographic or environmental considerations. Blocks shall measure not less than three hundred (300) nor more than six hundred sixty (660) feet along each side, as measured from the edge of the right-of-way, except where deviation is necessitated by topographic or environmental considerations, or where deviation is required to comply with regulations concerning steep slope, MDOD sensitivity areas, or FOD pursuant to Sections 4-1508, 4-1600 and 4-1500.

|                                |  |
|--------------------------------|--|
|                                | from any other road right-of-way, private access easement, and any prescriptive easement.  |
| <b>Maximum Lot Coverage</b>    | 8% maximum, based on gross acreage   |
| <b>Maximum Building Height</b> | <del>Forty (40)</del> 35-feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry, or for General Government Use.  |
| <b>Lot Access</b>              | <p>Access to individual lot provided by privately owned and maintained travelway which shall either be:</p> <ul style="list-style-type: none"> <li>○ A private access easement that complies with the requirements of Chapter 4:Transportation of the Facilities Standards Manual; or</li> <li>○ A private lane that: <ul style="list-style-type: none"> <li>■ Is within a 24' private easement;</li> <li>■ Is at least 12' in width;</li> <li>■ If paved, is 2" over a 4" base;</li> <li>■ If gravel is 6"; and</li> <li>■ Has a minimum grade of 10% with a minimum 30' centerline curve radius.</li> </ul> </li> <li>○ Private access easement or private lane may serve as frontage in-lieu of public road frontage up to 25 lots.</li> </ul> <p>Plat of division shall contain note and provide for maintenance of private access easement or private lane.</p> |

## 2-1305 Utility Requirements.

- (A) **Water.** Development shall be served by individual wells, except for Town-owned or County-owned and operated public uses that may be served by municipal water facilities, if available as determined by the Town, or may be served by communal water supply systems
- (B) **Wastewater.** Development shall be served by an on-site septic system, except for Town owned or County owned and operated public uses that may be served by municipal sewer facilities, or may be served by communal sewer systems.

1  
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the Use Categories and Use Types listed in Table 2-1402 are defined in Article VIII (Definitions).

| TABLE 2-1402<br>TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE |   |              |  |
|--|---|--------------|--|
| P = PERMITTED S = SPECIAL EXCEPTION                                  |   |              |  |
| USE CATEGORY   | USE TYPE  | TR-10        | ADDITIONAL REGULATIONS<br>FOR SPECIFIC USES    |
| <b>RESIDENTIAL USES</b>  |   |              |  |
| <b>Household Living</b>  | Accessory dwelling (accessory to single family detached dwelling)                 | P            | Section 5-613                                  |
|  | Caretaker's residence (accessory to single family detached dwelling)              | P            |  |
|  | Dwelling, single-family detached, including manufactured housing                  | P            | Manufacturing housing subject to Section 5-620 |
|  | Home occupation (accessory to single family detached dwelling)                    | P            | Section 5-400                                  |
|  | Guest house (accessory to single family detached dwelling)                        | P            | Section 5-612                                  |
|  | <del>Portable Dwelling/Construction Trailer</del>                                 | <del>P</del> |  |
| <b>Group Living</b>  | Congregate housing facility   | S            |  |
|  | Continuing care facility  | S            |  |
|  | Convent or monastery  | S            | Section 5-656                                  |
|  | Orphanage or similar institution  | S            |  |
|  | Tenant dwelling (accessory to agriculture, horticulture or animal husbandry uses) | P/S          | Section 5-602                                  |
| <b>AGRICULTURAL USES</b>   |   |              |  |
| <b>Agriculture</b>   | General Use Category  | P            | Section 5-626                                  |
| <b>Horticulture</b>  | General Use Category  | P            | Section 5-626                                  |
| <b>Animal Husbandry</b>  | General Use Category  | P            | Section 5-626                                  |

**TABLE 2-1402  
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE**

**P = PERMITTED S = SPECIAL EXCEPTION**

| <b>USE CATEGORY</b>                     | <b>USE TYPE</b>   | <b>TR-10</b> | <b>ADDITIONAL REGULATIONS<br/>FOR SPECIFIC USES</b>  |
|---|---|--------------|--|
|   | Private club or lodge   | S            |  |
|   | Recreation establishment,<br>outdoor  | S            |  |
|   | Rural recreation<br>establishment, outdoor  | P            |  |
| <b>Retail Sales and<br/>Service</b>     | Antique shop  | S            | Section 5-650  |
|   | Art gallery or art studio   | S            | Section 5-650  |
|   | Craft shop  | S            | Section 5-650  |
|   | Farm machinery sales and<br>service   | S            | Section 5-615  |
|   | Mill, feed and farm supply<br>center  | S            |  |
|   | Small business  | P/S          | Section 5-614  |
|   | Studio space – artist,<br>craftsperson, writer, etc.  | P            | Section 5-650  |
| <b>Visitor<br/>Accommodation</b>        | Bed and breakfast homestay  | P/S          | Section 5-601(A)   |
|   | Bed and breakfast inn   | S            | Section 5-601(B)   |
|   | Country inn   | S            | Section 5-601(C)   |
| <b>INDUSTRIAL USES</b>                  |   |              |  |
| <b>Telecommunication<br/>Facilities</b> | Radio and/or television tower   | S            | Section 5-618  |
|   | Telecommunications antenna  | P            | Section 5-618(A)   |
|   | Telecommunications<br>monopole  | P            | Section 5-618(B)(1)  |
|   | Telecommunications<br>monopole  | S            | Section 5-618(B)(2)  |
|   | Telecommunication tower   | S            | Section 5-618(C)(2)  |
| <b>Waste-Related Uses</b>               | <u>Vegetative waste management<br/>facility</u> <del>Yard Waste and/or<br/>Vegetative waste composting<br/>facility</del> | S            | <u>(Grant of a special exception does not<br/>avoid requirements of Chapter 1080,<br/>Codified Ordinances of Loudoun<br/>County, or any other applicable law.)</u> |

TABLE 2-1402  
TR-10 TRANSITIONAL RESIDENTIAL-10 DISTRICT USE TABLE

P = PERMITTED S = SPECIAL EXCEPTION

| USE CATEGORY | USE TYPE                              | TR-10    | ADDITIONAL REGULATIONS FOR SPECIFIC USES |
|--------------|---------------------------------------|----------|--|
|              | <u>Yard waste composting facility</u> | <u>S</u> |  |
|              | Stockpiling of dirt                   | S        | Section 5-657                            |

**2-1403 Development Standards.**

- (A) **General.** All development in the TR-10 district, unless exempted pursuant to Section 2-1403(B) shall be developed consistent with Section 5-701 (TR Districts Lot Standards) and Section 5-900.
- (B) **Exemptions.** The development of a lot existing on January 7, 2003 is exempted from the standards and requirements of Section 5-701 (TR Districts Lot Standards). The development of such lot shall be subject to the development standards of Table 2-1403(B).

TABLE 2-1403(B):  
TR-10 BUILDING REQUIREMENTS FOR EXISTING LOTS  
(Lots Existing Prior to January 7, 2003)

|                                 |   |
|---------------------------------|---|
| <b>Minimum Required Yards</b>   | <u>Except where a greater setback is required by Section 5-900, No</u> building shall be located within 25 feet of any property line <del>or nor within 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of any collector road, and</del> 35 feet from any other road right-of-way, private access easement, and any prescriptive easement. |
| <b>Maximum Floor Area Ratio</b> | 0.05  |
| <b>Maximum Building Height</b>  | <del>35</del> <u>Forty (40)</u> feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.   |

(D) **Reference to General Use Category.** References to “General Use Category” under the Use Type column, means all of the uses in the Use Category are allowed. The Use Category is defined in Article VIII. Where specific Use Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article VIII.

(E) **Additional Regulations for Specific Uses.** References to sections in the final column of Table 2-1502 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the “Additional Regulations for Specific Uses” in Section 5-600. All the Use Categories and Use Types listed in Table 2-1502 are defined in Article VIII (Definitions).

| TABLE 2-1502<br>TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE |   |              |              |              |  |
|---|---|--------------|--------------|--------------|--|
| P = PERMITTED S = SPECIAL EXCEPTION                                 |   |              |              |              |  |
| USE CATEGORY  | USE TYPE  | TR-3<br>UBF  | TR-3<br>LBR  | TR-3<br>LF   | ADDITIONAL<br>REGULATIONS<br>FOR SPECIFIC USES |
| <b>RESIDENTIAL USES</b>   |   |              |              |              |  |
| <b>Household Living</b>   | Accessory dwelling (accessory to single family detached dwelling) | P            | P            | P            | Section 5-613                                  |
|   | Dwelling, single-family detached, including manufactured housing  | P            | P            | P            | Manufactured housing subject to Section 5-620. |
|   | Home occupation (accessory to single family detached dwelling)    | P            | P            | P            | Section 5-400                                  |
|   | <del>Portable Dwelling/<br/>Construction Trailer</del>            | <del>P</del> | <del>P</del> | <del>P</del> |  |
|   | Guest house (accessory to single family detached dwelling)        | P            | P            | P            | Section 5-612                                  |
| <b>Group Living</b>   | Congregate housing facility                                       | S            | S            | S            |  |
|   | Continuing care facility  | S            | S            | S            |  |
|   | Convent or monastery  | S            | S            | S            | Section 5-656                                  |
|   | Orphanage or similar institution                                  | S            | S            | S            |  |

**TABLE 2-1502  
TR-3 TRANSITIONAL RESIDENTIAL-3 DISTRICTS USE TABLE**

P = PERMITTED S = SPECIAL EXCEPTION

| USE CATEGORY              | USE TYPE   | TR-3<br>UBF | TR-3<br>LBR | TR-3<br>LF | ADDITIONAL<br>REGULATIONS<br>FOR SPECIFIC USES |
|---------------------------|--|-------------|-------------|------------|--|
|                           | Telecommunication transmissions tower                  | S           | S           | S          | Section 5-618(C)(2)                            |
| <b>Waste-Related Uses</b> | Yard Waste and/or Vegetative waste composting facility |             | S           |            |  |

**2-1503 Development Standards.**

- (A) **General.** All development in the TR-3 districts, unless exempted pursuant to Section 2-1503(B), shall be developed consistent with Section 5-701 (TR Districts Lot Standards) and Section 5-900.
- (B) **Exemptions.** The development of a lot existing on January 7, 2003 is exempted from the standards and requirements of Section 5-701 (TR Districts Lot Standards). The development of such lot shall be subject to the development standards of Table 2-1503(B).

**TABLE 2-1503(B):  
TR-3 BUILDING REQUIREMENTS FOR EXISTING LOTS  
(Lots Existing Prior to January 7, 2003)**

|  |   |
|--|---|
| <b>Section 1.02 Minimum Required Yards</b> | <u>Except where a greater setback is required by Section 5-900, No</u> building shall be located within 25 feet of any property line <del>nor within 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of any collector road, and or</del> 35 feet from any other road right-of-way, private access easement, and any prescriptive easement. |
| <b>Maximum Floor Area Ratio</b>            | 0.05  |
| <b>Maximum Building Height</b>             | <del>35</del> <u>Forty (40)</u> feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.   |

- 2-1504 Other Special Requirements.** No non-agricultural use shall be permitted which, because of its nature, location, or manner of operation, is dangerous or noxious because of noise, odor, fumes, gas, glare, light, vibration, smoke, emission of particulate matter or effluents, or for other similar reasons.

**TABLE 2-1602  
TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE**

**P = PERMITTED S = SPECIAL EXCEPTION**

| USE CATEGORY             | USE TYPE  | TR-2         | ADDITIONAL REGULATIONS<br>FOR SPECIFIC USES    |
|--------------------------|---|--------------|--|
| <b>RESIDENTIAL USES</b>  |   |              |  |
| <b>Household Living</b>  | Accessory dwelling (accessory to single family detached dwelling) | P            | Section 5-613                                  |
|                          | Dwelling, single-family detached, including manufactured housing  | P            | Manufactured housing subject to Section 5-620. |
|                          | Home occupation (accessory to single family detached dwelling)    | P            | Section 5-400                                  |
|                          | <del>Portable Dwelling/<br/>Construction Trailer</del>            | <del>P</del> |  |
|                          | Guest house (accessory to single family detached dwelling)        | P            | Section 5-612                                  |
| <b>Group Living</b>      | Congregate housing facility                                       | S            |  |
|                          | Continuing care facility  | S            |  |
|                          | Orphanage or similar institution                                  | S            |  |
|                          | Monastery or convent  | S            | Section 5-656                                  |
|                          | Tenant dwelling   | P/S          | Section 5-602                                  |
| <b>AGRICULTURAL USES</b> |   |              |  |
| <b>Agriculture</b>       | General Use Category  | P            | Section 5-626                                  |
| <b>Horticulture</b>      | General Use Category  | P            | Section 5-626                                  |
| <b>Animal Husbandry</b>  | General Use Category  | P            | Section 5-626                                  |

| TABLE 2-1602<br>TR-2 TRANSITIONAL RESIDENTIAL-2 DISTRICT USE TABLE |                                |      |   |
|--|--------------------------------|------|---|
| P = PERMITTED S = SPECIAL EXCEPTION                                |                                |      |   |
| USE CATEGORY   | USE TYPE                       | TR-2 | ADDITIONAL REGULATIONS<br>FOR SPECIFIC USES |
| <b>INDUSTRIAL USES</b>   |                                |      |   |
| <b>Telecommunication<br/>Facilities</b>                            | Radio and/or television tower  | S    | Section 5-618                               |
|  | Telecommunications antenna     | P    | Section 5-618(A)                            |
|  | Telecommunications<br>monopole | P    | Section 5-618(B)(1)                         |
|  | Telecommunications<br>monopole | S    | Section 5-618(B)(2)                         |
|  | Telecommunication tower        | S    | Section 5-618(C)(2)                         |

## 2-1603 Development Standards.

- (A) **General.** All development in the TR-2 district, unless exempted pursuant to Section 2-1603 (B) shall be developed consistent with Section 5-701 (TR Districts Lot Standards) and Section 5-900.
- (B) **Exemptions.** The development of a lot existing on the date of adoption is exempted from the standards and requirements of Section 5-701 (TR Districts Lot Standards. The development of such lot shall be subject to the development standards of Table 2-1603(B).

| TABLE 2-1603(B):<br>TR-2 BUILDING REQUIREMENTS FOR EXISTING LOTS<br>(Lots Existing Prior to January 7, 2003) |   |
|--|---|
| Minimum Required Yards   | <u>Except where a greater setback is required by Section 5-900, No</u> building shall be located within 25 feet of any property line <del>nor within 100 feet from the right of way of any arterial road, 75 feet from the right of way of any collector road, and or</del> 35 feet from any other road right-of-way, private access easement, and any prescriptive easement. |
| Maximum Floor Area Ratio   | 0.05  |
| Maximum Building Height  | <del>35</del> Forty (40) feet. No restriction for buildings   |

|  |  |
|--|--|
|  | used exclusively for agriculture, horticulture and animal husbandry. |
|--|--|

**TABLE 2-1702  
TR-1 TRANSITIONAL RESIDENTIAL-1 DISTRICTS USE TABLE**

**P = PERMITTED S = SPECIAL EXCEPTION**

| USE CATEGORY             | USE TYPE  | TR-1<br>UBF  | TR-1<br>LF   | ADDITIONAL REGULATIONS<br>FOR SPECIFIC USES       |
|--------------------------|---|--------------|--------------|---|
| <b>RESIDENTIAL USES</b>  |   |              |              |   |
| <b>Household Living</b>  | Accessory dwelling<br>(accessory to single<br>family detached<br>dwelling)    | P            | P            | Section 5-613                                     |
|                          | Dwelling, single-<br>family detached,<br>including<br>manufactured<br>housing | P            | P            | Manufactured housing subject to<br>Section 5-620. |
|                          | Home occupation<br>(accessory to single<br>family detached<br>dwelling)       | P            | P            | Section 5-400                                     |
|                          | <del>Portable Dwelling/<br/>Construction Trailer</del>                        | <del>P</del> | <del>P</del> |   |
|                          | Guest house<br>(accessory to single<br>family detached<br>dwelling)           | P            | P            | Section 5-612                                     |
| <b>Group Living</b>      | Congregate housing<br>facility  | S            | S            |   |
|                          | Continuing care<br>facility   | S            | S            |   |
|                          | Orphanage or similar<br>institution   | S            | S            |   |
|                          | Monastery or convent  | S            | S            | Section 5-656                                     |
|                          | Tenant dwelling   | P/S          | P/S          | Section 5-602                                     |
| <b>AGRICULTURAL USES</b> |   |              |              |   |
| <b>Agriculture</b>       | General Use<br>Category   | P            | P            | Section 5-626                                     |
| <b>Horticulture</b>      | General Use<br>Category   | P            | P            | Section 5-626                                     |
| <b>Animal Husbandry</b>  | General Use<br>Category   | P            | P            | Section 5-626                                     |

1 (A) **General.** All development in the TR-1 districts, unless exempted  
2 pursuant to Section 2-1703(B) shall be developed consistent with  
3 Section 5-701 (TR Districts Lot Standards) and Section 5-900.

4 (B) **Exemptions.** The development of a lot existing on January 7,  
5 2003 is exempted from the standards and requirements of Section  
6 5-701 (TR Districts Lot Standards). The development of such lot  
7 shall be subject to the development standards of Table 2-1703(B).

TABLE 2-1703(B):  
TR-1 BUILDING REQUIREMENTS FOR EXISTING LOTS  
(Lots Existing Prior to January 7, 2003)

|                          |  |
|--------------------------|--|
| Minimum Required Yards   | <u>Except where a greater setback is required by</u><br><u>Section 5-900, No</u> building shall be located within<br>25 feet of any property line <del>nor within 100 feet</del><br><del>from the right-of-way of any arterial road, 75 feet</del><br><del>from the right-of-way of any collector road, and or</del><br>35 feet from any other road right-of-way, private<br>access easement, and any prescriptive easement. |
| Maximum Floor Area Ratio | 0.05   |
| Maximum Building Height  | <u>Forty (40)</u> 35 feet. No restriction for buildings used<br>exclusively for agriculture, horticulture and animal<br>husbandry.   |

**ARTICLE 3**  
**SUBURBAN DISTRICT REGULATIONS**

**Section 3-100**

**R-1 Single Family Residential.**

**3-101**

**Purpose.** The R-1 Single Family Residential district is established to provide for low density single family detached residences on lots of 40,000 square feet or more in locations consistent with the Comprehensive Plan. Urban R-1 land requires public water and sewer and should be limited to areas planned and served for public water and sewer.

**3-102**

**Permitted Uses.** The following uses are permitted in this district:

- (A) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (B) Agriculture, horticulture, forestry and fishery, excluding the keeping of livestock.
- (C) Bed and breakfast homestay, pursuant to Section 5-601(A).
- (D) Child care home, pursuant to Section 5-609.
- (E) Cluster development reducing lot sizes up to 20% of minimum, pursuant to Sections 3-105, 3-108, and 6-1400.
- (F) Cluster development reducing lot sizes from 20-50% of minimum, pursuant to Sections 3-106, 3-109 and 6-1400.
- (G) Commuter parking lot, with less than 50 spaces.
- (H) Home occupation, pursuant to Section 5-400.
- (I) Public or private playground or neighborhood park.
- (J) Recycling drop-off collection center, small, pursuant to Section 5-607.
- (K) Dwelling, single family detached.
- (L) Utility substation, dedicated.
- ~~(M) Portable dwelling/trailer during construction of primary residence.~~
- ~~(N)(M)~~ Wayside stand, pursuant to Section 5-604.
- ~~(O)(N)~~ School, private elementary or middle, for less than fifteen (15) pupils.

~~(P)(O)~~ Nature preserve, such as but not limited to, wildlife sanctuary, conservation areas and game preserve.

~~(Q)(P)~~ Bus shelter.

~~(R)~~ Construction and/or sales trailer, during period of construction activity.

~~(S)(O)~~ Sewer pumping station.

~~(T)(R)~~ Water pumping station.

~~(U)(S)~~ School, public.

~~(V)(T)~~ Telecommunications antenna, pursuant to Section 5-618(A).

~~(W)(U)~~ Telecommunications monopole, pursuant to Section 5-618(B)(1).

### 3-103

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

(A) Camp, day and boarding.

(B) Cemetery, mausoleum or memorial park.

(C) Church, synagogue, and temple.

(D) Community center.

(E) Congregate housing facility.

(F) Country club.

(G) Fire and/or rescue station.

(H) Library.

(I) Orphanage or other similar institution.

(J) Playing fields and courts, lighted.

(K) Private club or lodge.

(L) Recycling drop-off collection center, large, pursuant, to Section 5-607.

(M) Continuing care facility.

- (1) **Front.** 35 feet minimum.
- (2) **Side.** Minimum of twelve (12) feet on one side and nine (9) feet on the other side.
- (3) **Rear.** 35 feet minimum.
- (D) **Length/Width Ratio.** ~~3-0~~5:1 maximum.

**3-105**

**Lot Requirements for Cluster Developments reducing lot size up to 20%.**

- (A) **Size.** 32,000 square feet minimum.
- (B) **Width.** 140 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
- (1) **Front.** 30 feet minimum.
- (2) **Side.** Minimum of twelve (12) feet on one side and nine (9) feet on the other side.
- (3) **Rear.** 30 feet minimum.
- (D) **Length/Width Ratio:** ~~3-0~~5:1 maximum.
- (E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 40,000 square feet is maintained, calculated based on the overall parcel. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.
- (F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 40,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-106**

**Lot Requirements for Cluster Development Reducing Lot Sizes 20% to 50 % Pursuant to Section 6-1400.**

- (A) **Size.** 20,000 square feet minimum.
- (B) **Width.** 100 feet minimum.

- 1 (C) **Yards.** Each lot shall provide the following yards:
- 2 (1) **Front.** 25 feet minimum.
- 3 (2) **Side.** Minimum of twelve (12) feet on one side and nine
- 4 (9) feet on other side.
- 5 (3) **Rear.** 25 feet minimum.
- 6 (D) **Length/Width Ratio.** ~~3.0~~5:1 maximum.
- 7 (E) **Minimum Open Space Area.** Open space shall be provided in a
- 8 sufficient amount such that a gross density of one lot per 40,000
- 9 square feet is maintained, calculated based on the overall. Open
- 10 space shall be preserved by means of a permanent open space
- 11 easement acceptable to the Board of Supervisors.
- 12 (F) **Minimum Buffer.** A permanent common open space buffer of
- 13 fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-
- 14 1414(B)) shall be provided where a cluster development adjoins an
- 15 existing or planned residential district, land bay, or development
- 16 which has a minimum allowable lot size of 40,000 square feet or
- 17 greater. Such buffer area may be included in open space
- 18 calculations.
- 19 **3-107 Building Requirements.**
- 20 (A) **Lot Coverage.** ~~15~~25% maximum.
- 21 (B) **Building Height.** ~~35~~40 feet maximum.
- 22 **3-108 Building Requirements for Cluster Development Reducing Lot Size**
- 23 **Up to 20%.**
- 24 (A) **Lot Coverage.** ~~20~~30% maximum.
- 25 (B) **Building Height.** ~~35~~40 feet maximum.
- 26 **3-109 Building Requirements for Cluster Development Reducing Lot Sizes**
- 27 **From 20 % to 50 % Pursuant to Section 6-1400.**
- 28 (A) **Lot Coverage.** ~~25~~30% maximum.
- 29 (B) **Building Height.** ~~35~~40 feet maximum.
- 30 **3-110 Utility Requirements.** All utility distribution lines in the R-1 district
- 31 shall be placed underground.

1           **3-111**

2           **Development Setback and Access From Major Roads.** In designing  
3           residential development, the ~~following~~ requirements of Section 5-900 shall  
             be observed.÷

4           ~~(A)Setback. No building shall be located any closer than 100 feet from~~  
5           ~~the right of way of any arterial road and 75 feet from the right of~~  
6           ~~way of any major collector and twenty five (25) feet from any~~  
7           ~~other road right of way, private access easement and any~~  
8           ~~prescriptive easement.~~

9           ~~(B)Access. No individual lot or housing unit created after adoption of this~~  
10          ~~ordinance shall have direct access to an arterial or major collector~~  
11          ~~road.~~

~~(P) Construction and/or sales trailer, during period of construction activity.~~

~~(Q)(P)~~ Sewer pumping station.

~~(R)(Q)~~ Water pumping station.

~~(S)(R)~~ School, public.

~~(T)(S)~~ Telecommunications antenna, pursuant to Section 5-618(A).

~~(U)(T)~~ Telecommunications monopole, pursuant to Section 5-618(B)(1).

**3-203**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

(A) Camp, day and boarding.

(B) Cemetery, mausoleum or memorial park.

(C) Church, synagogue and temple.

(D) Community center.

(E) Congregate housing facility.

(F) Country club.

(G) Fire and/or rescue station.

(H) Library.

(I) Playing fields and courts, lighted.

(J) Private club or lodge.

(K) Continuing care facility.

(L) School.

(M) Utility substation, transmission, pursuant to 5-616.

(N) Utility transmission lines, overhead.

(O) Water treatment plant.

(P) Removed pursuant to ZOAM 1995-0002.

- (Q) Public or private community or regional park.
- (R) Bed and breakfast inn, pursuant to Section 5-601(B).
- (S) Child or adult day care center, pursuant to Section 5-609.
- (T) Commuter parking lot, with greater than 50 spaces.
- (U) Golf course.
- (V) Structure or use for federal, state, county, or local government purposes, not otherwise listed.
- (W) Radio and/or television tower.
- (X) Orphanage or similar institution.
- (Y) Sewage treatment plant.
- (Z) Water storage tank.
- (AA) Utility substation, distribution, pursuant to Section 5-616.
- (BB) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (CC) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (DD) Police Station.

**3-204 Lot Requirements for Suburban Design Option.**

- (A) **Size.** 20,000 square feet minimum.
- (B) **Width.** 100 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 25 feet minimum.
  - (2) **Side.** Minimum of twelve (12) feet on one side and nine (9) feet on the other side.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio.** ~~3-0~~ 5:1 maximum.

**3-205 Lot Requirements for Traditional Design Option**

- 1 (A) **Size.** 10,000 square feet minimum.
- 2 (B) **Width.** 75 feet minimum.
- 3 (C) **Yards.** Each lot shall provide the following yards:
- 4 (1) **Front.** 15 feet minimum.
- 5 (2) **Side.** 9 feet minimum.
- 6 (3) **Rear.** 25 feet minimum.
- 7 (D) **Length/Width Ratio.** ~~4.0~~ 5:1 maximum.
- 8 (E) **Lot Design Requirements.**
- 9 (1) Street trees planted pursuant to Section 5-1300 shall be
- 10 regularly spaced.
- 11 (2) Garages shall be set back at least 20 feet behind the front
- 12 line of buildings.
- 13 (F) **Minimum Open Space Area.** Open space shall be provided in a
- 14 sufficient amount such that a gross density of one lot per 20,000
- 15 square feet is maintained, calculated based on the overall. Open
- 16 space shall be preserved by means of a permanent open space
- 17 easement acceptable to the Board of Supervisors.
- 18 (G) **Minimum Buffer.** A permanent common open space buffer of
- 19 fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-
- 20 1414(B)) shall be provided where a traditional development
- 21 adjoins an existing or planned residential district, land bay, or
- 22 development which has a minimum allowable lot size of 20,000
- 23 square feet or greater. Such buffer area may be included in open
- 24 space calculations.
- 25 (H) **Other Requirements.**
- 26 (1) Blocks shall generally be in a grid pattern with
- 27 interconnecting streets and alleys.
- 28 (2) Parallel parking may be provided on streets in front of
- 29 residential lots, except for lots fronting on collector or
- 30 arterial roads.
- 31 **3-206 Lot Requirements for Cluster Development reducing lot sizes up to**
- 32 **20%**

- 1 (A) **Size.** 16,000 square feet minimum.
- 2 (B) **Width.** 80 feet minimum.
- 3 (C) **Yards.** Each lot shall provide the following yards:
- 4 (1) **Front.** 25 feet minimum.
- 5 (2) **Side.** 9 feet minimum.
- 6 (3) **Rear.** 25 feet minimum.
- 7 (D) **Length/Width Ratio:** ~~3-0~~ 5:1 maximum.
- 8 (E) **Minimum Open Space Area.** Open space shall be provided in a
- 9 sufficient amount such that a gross density of one lot per 20,000
- 10 square feet is maintained, calculated based on the overall parcel.
- 11 Open space shall be preserved by means of a permanent open
- 12 space easement acceptable to the Board of Supervisors.
- 13 (F) **Minimum Buffer.** A permanent common open space buffer of
- 14 fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-
- 15 1414(B)) shall be provided where a cluster development adjoins an
- 16 existing or planned residential district, land bay, or development
- 17 which has a minimum allowable lot size of 20,000 square feet or
- 18 greater. Such buffer area may be included in open space
- 19 calculations.

20 **3-207 Lot Requirements for Cluster Development Reducing Lot Sizes From**

21 **20% to 50% Pursuant to Section 6-1400.**

- 22 (A) **Size.** 10,000 square feet minimum.
- 23 (B) **Width.** 80 feet minimum.
- 24 (C) **Yards.** Each lot shall provide the following yards:
- 25 (1) **Front.** 25 feet minimum.
- 26 (2) **Side.** 9 feet minimum.
- 27 (3) **Rear.** 25 feet minimum.
- 28 (D) **Length/Width Ratio:** ~~3-0~~ 5:1 maximum.
- 29 (E) **Minimum Open Space Area.** Open space shall be provided in a
- 30 sufficient amount such that a gross density of one lot per 20,000

square feet is maintained, calculated based on the overall. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

- (F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 20,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-208 Building Requirements for Suburban Design Options.**

- (A) **Lot Coverage.** 25 percent maximum.
- (B) **Building Height.** ~~35~~40 feet maximum.

**3-209 Building Requirements for Cluster Development Reducing Lot Sizes Up to 20%.**

- (A) **Lot Coverage.** 25 percent maximum.
- (B) **Building Height.** ~~35~~40 feet maximum.

**3-210 Building Requirements for Traditional Design Option or Cluster Development Reducing Lot Sizes From 20% to 50% Pursuant to Section 6-1400.**

- (A) **Lot Coverage.** 35 percent maximum.
- (B) **Building Height.** ~~35~~40 feet maximum.

**3-211 Utility Requirements.** All utility distribution lines in the R-2 district shall be placed underground.

**3-212 Development Setback and Access From Major Roads.** In designing residential development, the ~~following~~ requirements of Section 5-900 shall be observed:

- ~~(A) **Setback.** No building shall be located any closer than 100 feet from the right-of-way of any arterial road and 75 feet from the right-of-way of any major collector and twenty five feet (25) from any other road right-of-way, any private access easement and any prescriptive easement, except where lots are developed pursuant to Section 3-205.~~

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~~(B) Access. No individual lot or housing unit created after the adoption of this Ordinance shall have direct access to an arterial or major collector road.~~

**Section 3-300 R-3 Single Family Residential.**

**3-301**

**Purpose.** The R-3 Single Family Residential district is established to provide for moderate density single family detached residences on lots of 15,000 square feet or more in areas consistent with the Comprehensive Plan served by public water and sewer service.

**3-302**

**Permitted Uses.** The following uses are permitted in this district:

- (A) Child care home, pursuant to Section 5-609.
- (B) Cluster development reducing lot sizes up to 20% of minimum, pursuant to Sections 3-306, 3-308 and 6-1400.
- (C) Cluster development reducing lot sizes from 20-50% of minimum, pursuant to Sections 3-307, 3-310 and 6-1400.
- (D) Home occupation, pursuant to Section 5-400.
- (E) Public or private playground or neighborhood park.
- (F) Recycling drop-off collection center, small, pursuant to Section 5-607 (A).
- (G) Dwelling, single family detached.
- (H) Utility substation, dedicated.
- (I) School, private elementary or middle, for less than fifteen (15) pupils.
- (J) Commuter parking lot, with less than 50 spaces.
- (K) Agriculture, horticulture, forestry and fishery, excluding the keeping of livestock.
- (L) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (M) Bus shelter.
- (N) Nature preserve, such as but not limited to, wildlife sanctuary, conservation areas and game preserve.
- ~~(O) Construction and/or sales trailer, during period of construction activity.~~
- ~~(P)(O)~~ Sewer pumping station.

~~(P)~~ Water pumping station.

~~(Q)~~ School, public.

~~(R)~~ Telecommunications antenna, pursuant to Section 5-618(A).

~~(S)~~ Telecommunications monopole, pursuant to Section 5-618(B)(1).

**3-303**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

(A) Cemetery, mausoleum and memorial park.

(B) Child or adult day care center, pursuant to 5-609.

(C) Church, synagogue and temple.

(D) Community center.

(E) Congregate housing facility.

(F) Country club.

(G) Fire and/or rescue station.

(H) Library.

(I) Playing fields and courts, lighted.

(J) Private club or lodge.

(K) Orphanage or other similar institution.

(L) School.

(M) Utility substation, transmission, pursuant to 5-616.

(N) Utility transmission lines, overhead.

(O) Water treatment plant.

(P) Golf course.

(Q) Sewage treatment plant.

(R) Radio and/or television tower.

- 1 (S) Public or private community or regional park.
- 2 (T) Structure for federal, state, county, or local government purposes,
- 3 not otherwise listed.
- 4 (U) Commuter parking lot, with greater than 50 spaces.
- 5 (V) Water storage tank.
- 6 (W) Utility substation, distribution, pursuant to Section 5-616.
- 7 (X) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- 8 (Y) Telecommunications tower, pursuant to Section 5-618(C)(2).
- 9 (Z) Police Station.

10 **3-304 Lot Requirements for Suburban Design Option.**

- 11 (A) **Size.** 15,000 square feet minimum.
- 12 (B) **Width.** 80 feet minimum.
- 13 (C) **Yards.** Each lot shall provide the following yards:
  - 14 (1) **Front.** 25 feet minimum.
  - 15 (2) **Side.** Minimum of twelve (12) feet on one side and nine
  - 16 (9) feet on the other side.
  - 17 (3) **Rear.** 25 feet minimum.
- 18 (D) **Length/Width Ratio.** ~~3-0~~5:1 maximum.

19 **3-305 Lot Requirements for Traditional Design Option.**

- 20 (A) **Size.** 8,000 square feet minimum.
- 21 (B) **Width.** 50 feet minimum.
- 22 (C) **Yards.** Each lot shall provide the following yards:
  - 23 (1) **Front.** 15 feet minimum.
  - 24 (2) **Side.** 9 feet minimum.
  - 25 (3) **Rear.** 25 feet minimum.

(D) **Length/Width Ratio.** ~~4~~5:1 maximum.

(E) **Lot Design Requirements.**

(1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.

(2) Garages shall be set back at least twenty (20) feet behind the front line of buildings.

(F) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 15,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(G) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a traditional development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 15,000 square feet or greater. Such buffer area may be included in open space calculations.

(H) **Other Requirements.**

(1) Blocks shall generally be in a grid pattern, with interconnecting streets and alleys.

(2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

**3-306 Lot Requirements for Cluster Development Reducing Lot Sizes Up to 20%.**

(A) **Size.** 12,000 square feet minimum.

(B) **Width.** 75 feet minimum.

(C) **Yards.** Each lot shall provide the following yards:

(1) **Front.** 25 feet minimum.

(2) **Side.** 9 feet minimum.

(3) **Rear.** 25 feet minimum.

(D) **Length/Width Ratio.** ~~3-0~~ 5:1 maximum.

(E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 15,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 15,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-307 Lot Requirements for Cluster Development Reducing Lot Sizes From 20% To 50% Pursuant to Section 6-1400.**

(A) **Size.** 8,000 square feet minimum.

(B) **Width.** 60 feet minimum.

(C) **Yards.** Each lot shall provide the following yards:

(1) **Front.** 25 feet minimum.

(2) **Side.** 9 feet minimum.

(3) **Rear.** 25 feet minimum.

(D) **Length/Width Ratio.** ~~3-0~~ 5:1 maximum.

(E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 15,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 15,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-308 Building Requirements for Suburban Design Option and Cluster Development Reducing Lot Sizes Up To 20%.**

(A) Lot Coverage. 25 percent maximum.

(B) Building Height. ~~35~~40 feet maximum.

**3-309 Building Requirements for Traditional Design Option.**

(A) Lot Coverage. 35 percent maximum.

(B) Building Height. ~~35~~40 feet maximum.

**3-310 Building Requirements for Cluster Development Reducing Lot Sizes From 20% to 50% Pursuant to Section 6-1400.**

(A) Lot Coverage. 35 percent maximum.

(B) Building Height. ~~35~~40 feet maximum.

**3-311 Active Recreation Space.** A minimum of 5,000 square feet of active recreation space shall be provided for each development of ten (10) units. Thereafter, an additional 100 square feet of such space shall be provided for each single family detached or duplex unit. All such active recreation space shall be accessible to all residents by means of internal pedestrian walkways.

**3-312 Utility Requirements.** All utility distribution lines in the R-3 district shall be placed underground.

**3-313 Development Setback And Access From Major Roads.** In designing residential development, the ~~following~~ requirements of Section 5-900 shall be observed.:

~~(A)Setback. No building shall be located any closer than 100 feet from the right of way of any arterial road and 75 feet from the right of way of any major collector and twenty five (25) feet from any other road right of way, private access easement and prescriptive easement, except where lots are developed pursuant to Section 3-305.~~

~~(B)Access. No individual lot or housing unit created after the adoption of this Ordinance shall have direct access to an arterial or major collector road.~~

**Section 3-400 R-4 Single Family Residential.**

**3-401**

**Purpose.** The R-4 Single Family Residential district is established to provide for moderate to medium density single family detached residences on lots of 10,000 square feet or more in areas served by public water and sewer service and designated in locations consistent with the Comprehensive Plan.

**3-402**

**Permitted Uses.** The following uses are permitted in this district:

- (A) Child care home, pursuant to Section 5-609.
- (B) Cluster development reducing lot sizes up to 20% of minimum, pursuant to Sections 3-406, 3-409 and 6-1400.
- (C) Cluster development reducing lot sizes from 20-50% of minimum, pursuant to Sections 3-407, 3-409 and 6-1400.
- (D) Home occupation, pursuant to Section 5-400.
- (E) Public or private playground or neighborhood park.
- (F) Recycling drop-off collection center, small, pursuant to Section 5-607 (A).
- (G) Dwelling, single family detached.
- (H) Utility substation, dedicated.
- (I) Agriculture, horticulture, forestry and fishery, excluding the keeping of livestock.
- (J) Accessory apartment or dwelling unit, pursuant to Section 5-613.
- (K) Bus shelter.
- (L) Nature preserve, such as but not limited to, wildlife sanctuary, conservation area and game preserve.
- ~~(M) Construction and/or sales trailer, during period of construction activity.~~
- ~~(N)(M)~~ Sewer pumping station.
- ~~(O)(N)~~ Water pumping station.
- ~~(P)(O)~~ Commuter parking lot, with less than fifty (50) spaces.

~~(Q)(P)~~ School, public.

~~(R)(Q)~~ Telecommunications antenna, pursuant to Section 5-618(A).

~~(S)(R)~~ Telecommunications monopole, pursuant to Section 5-618(B)(1).

**3-403**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

(A) Cemetery, mausoleum or memorial park.

(B) Child or adult day care center, pursuant to Section 5-609.

(C) Church, synagogue and temple.

(D) Community center.

(E) Congregate housing facility.

(F) Country club.

(G) Fire and/or rescue station.

(H) Library.

(I) Playing fields and courts, lighted.

(J) Orphanage or similar institution.

(K) Private club or lodge.

(L) School.

(M) Utility substation, transmission, pursuant to Section 5-616.

(N) Utility transmission lines, overhead.

(O) Water treatment plant.

(P) Golf course.

(Q) Sewage treatment plant.

(R) Structure or use for federal, state, county, or local government purposes, not otherwise listed.

- (S) Public or private community or regional park.
- (T) Radio and/or television tower.
- (U) Commuter parking, with greater than fifty (50) spaces.
- (V) Water storage tank.
- (W) Utility substation, distribution, pursuant to Section 5-616.
- (X) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (Y) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (Z) Police Station.

**3-404**

**Lot Requirements for Suburban Design Option.**

- (A) **Size.** 10,000 square feet minimum.
- (B) **Width.** 80 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 25 feet minimum.
  - (2) **Side.** 9 feet minimum.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio.** ~~3.0~~5:1 maximum.

**3-405**

**Lot Requirements for Traditional Design Option.**

- (A) **Size.** 6,000 square feet minimum.
- (B) **Width.** 50 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
  - (1) **Front.** 15 feet minimum.
  - (2) **Side.** 9 feet minimum.
  - (3) **Rear.** 25 feet minimum.
- (D) **Length/Width Ratio.** ~~4~~5:1 maximum.

(E) **Lot Design Requirements.**

- (1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.
- (2) Garages shall be setback at least 20 feet behind the front line of buildings.

(F) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 10,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(G) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a traditional development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 10,000 square feet or greater. Such buffer area may be included in open space calculations.

(H) **Other Requirements.**

- (1) Blocks shall generally be in a grid pattern, with interconnecting streets and alleys.
- (2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

**3-406 Lot Requirements for Cluster Development Reducing Lot Sizes Up to 20%.**

(A) **Size.** 8,000 square feet minimum.

(B) **Width.** 75 feet minimum.

(C) **Yards.** Each lot shall provide the following yards.

(1) **Front.** 25 feet minimum.

(2) **Side.** 9 feet minimum.

(3) **Rear.** 25 feet minimum.

(D) **Length/Width Ratio.** ~~3-0~~ 5:1 maximum.

(E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 10,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 10,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-407 Lot Requirements For Cluster Development Reducing Lot Sizes From 20% to 50% Pursuant to Section 6-1400.**

(A) **Size.** 6,000 square feet minimum.

(B) **Width.** 50 feet minimum.

(C) **Yards.** Each lot shall provide the following yards.

(1) **Front.** 25 feet minimum.

(2) **Side.** 9 feet minimum.

(3) **Rear.** 25 feet minimum.

(D) **Length/Width Ratio.** ~~3-0~~ 5:1 maximum.

(E) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 10,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(F) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a cluster development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 10,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-408 Building Requirements for Suburban Design.**

(A) **Lot Coverage.** 35 percent maximum.

(B) **Building Height.** ~~35~~40 feet maximum.

**3-409 Building Requirements for Traditional Design Option or Cluster Development.**

(A) **Lot Coverage.** 40 percent maximum.

(B) **Building Height.** ~~35~~40 feet maximum.

(C) **Impervious Surface.** No more than 50% of the front yard of any lot shall be an impervious surface.

**3-410 Active Recreation Space.** A minimum of 5,000 square feet of active recreation space shall be provided for each development of ten (10) units. Thereafter, an additional 100 square feet of such space shall be provided for each single family detached or duplex unit. All such active recreation space shall be accessible to all residents by means of internal pedestrian walkways.

**3-411 Utility Requirements.** All utility distribution lines in the R-4 district shall be placed underground.

**3-412 Development Setback and Access from Major Roads.** In designing residential development, the ~~following~~ requirements of Section 5-900 shall be observed.

~~(A)Setback. No building shall be located closer than 100 feet from the right of way of any arterial road and 75 feet from the right of way of a major collector and twenty five (25) feet from any other road right of way, private access easement and prescriptive easement, except where lots are developed pursuant to Section 3-405.~~

~~(B)Access. No individual lot or housing unit created after the adoption of this ordinance shall have direct access to an arterial or major collector road.~~

**Section 3-500**

**R-8 Single Family Residential.**

**3-501**

**Purpose.** The R-8 Single Family Residential district is established to provide for manufactured housing, single family detached, duplex, townhouse, and single family attached dwelling units at gross residential parcel densities not to exceed eight (8) units per acre in areas served by public water and sewer service and designated primarily for infill development or in other locations consistent with the Comprehensive Plan.

**3-502**

**Size and Location.** This district shall be no less than two (2) acres nor more than fifty (50) acres in size. Incremental and contiguous additions of no less than one (1) acre to an existing R-8 zoning district shall be allowed. Larger parcels may be developed in accord with Section 4-100 as Planned Development Housing Districts. This district shall be mapped only in locations in close proximity to arterials or major collectors and at locations with pedestrian linkages to nearby established or planned employment centers, shopping or other community support services.

**3-503**

**Permitted Uses.** The following uses are permitted in this district:

- (A) Child care home, pursuant to Section 5-609.
- (B) Home occupation, pursuant to Section 5-400.
- (C) Public or private playground or neighborhood park.
- (D) Recycling drop-off collection center, small, pursuant to 5-607 (A).
- (E) Dwelling, single family attached.
- (F) Dwelling, single family detached.
- (G) Commuter parking lot, with less than fifty (50) spaces.
- (H) Utility substation, dedicated.
- (I) Bus shelter.
- (J) Nature preserve, such as but not limited to, wildlife sanctuary, conservation area, and game preserve.

~~(K) Construction and/or sales trailer, during period of construction activity.~~

~~(L)(K)~~ Sewer pumping station.

~~(M)(L)~~ Water pumping station.

- 1 ~~(N)(M)~~ Accessory apartment or dwelling unit, pursuant to Section 5-613.
- 2 ~~(O)(N)~~ School, public.
- 3 ~~(P)(O)~~ Telecommunications antenna, pursuant to Section 5-618(A).
- 4 ~~(O)(P)~~ Telecommunications monopole, pursuant to Section 5-618(B)(1).
- 5 **3-504** **Special Exception Uses.** The following uses may be approved by the
- 6 Board of Supervisors, and, if approved, may be subject to certain
- 7 conditions, pursuant to the provisions of Section 6-1300.
- 8 (A) Child or adult day care center, pursuant to Section 5-609.
- 9 (B) Church, synagogue and temple.
- 10 (C) Country club.
- 11 (D) Community center.
- 12 (E) Congregate housing facility.
- 13 (F) Fire and/or rescue station.
- 14 (G) Library.
- 15 (H) Orphanage or other similar institution.
- 16 (I) Playing fields and courts, lighted.
- 17 (J) Private club or lodge.
- 18 (K) Continuing care facility.
- 19 (L) School.
- 20 (M) Utility substation, transmission, pursuant to Section 5-616.
- 21 (N) Utility transmission lines, overhead.
- 22 (O) Water treatment plant.
- 23 (P) Golf course.
- 24 (Q) Sewage treatment plant.
- 25 (R) Commuter parking lot, with greater than fifty (50) spaces.

(c) **Rear.** 25 feet minimum.

(2) **Single Family Attached Dwellings.**

(a) **Front.** 40 feet minimum from centerline of travelway which does not include parking. 45 feet minimum from the centerline of travelway which does include parking.

(b) **Side.** No requirement ~~for interior lot with~~ along common wall~~s~~; minimum side yard on end unit shall be 8 feet.

(c) **Rear.** 25 feet minimum, no requirement along common walls.

(3) **Traditional Design Option for Single Family Attached.**

(a) **Front.** When dwellings front on a street and include a landscaped strip and sidewalk totaling 8 feet in depth, and where vehicular access to parking is provided from the rear of the lot, a minimum yard of 12 feet from the back of the curb shall be provided. However, where the district abuts an existing or planned residential district or land bay, or development of a lower density without an intervening street, the front yard setback shall equal the front yard setback of the lowest abutting density district, land bay or development.

(b) **Side.** No requirement for interior lot with common wall; minimum side yard on end unit shall be 8 feet.

(c) **Rear.** 25 feet.

(D) **Length/Width Ratio.** 6:1 maximum.

**3-507 Lot Requirements for Traditional Design Option for Single Family Detached.**

(A) **Size.** 5,000 sq. ft. minimum, exclusive of major floodplain.

(B) **Width.** 50 feet minimum.

(C) **Yards.** Each lot shall provide the following yards.

(1) **Front.** 15 feet minimum.

(2) **Side.** 9 feet minimum.

(3) **Rear.** 25 feet minimum.

(D) **Length/Width Ratio.** ~~4~~5:1 maximum.

(E) **Lot Design Requirements.**

(1) Street trees planted pursuant to Section 5-1300 shall be regularly spaced.

(2) Garages shall be setback at least 20 feet behind the front line of buildings.

(F) **Minimum Open Space Area.** Open space shall be provided in a sufficient amount such that a gross density of one lot per 6,000 square feet is maintained, calculated based on the overall parcel size. Open space shall be preserved by means of a permanent open space easement acceptable to the Board of Supervisors.

(G) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a traditional development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 6,000 square feet or greater. Such buffer area may be included in open space calculations.

(H) **Other Requirements.**

(1) Blocks shall generally be in a grid pattern, with interconnecting streets or alleys.

(2) Parallel parking may be provided on streets in front of residential lots, except for lots fronting on collector or arterial roads.

**3-508 Building Requirements.**

(A) **Lot Coverage.** 50 percent maximum.

(B) **Building Height.** ~~35~~

(1) Single Family Detached: 40 feet maximum.

(2) Single Family Attached: 45 feet maximum

- (C) **Maximum Units Per Building.** No one structure shall contain more than eight (8) dwelling units.

**3-509**

**Additional Development Standards.**

- (A) **Active Recreation Space.** A minimum of 5,000 square feet of active recreation space shall be provided for each development of ten (10) units. Thereafter, an additional 100 square feet of such space shall be provided for each single family detached, manufactured housing or duplex unit and 200 square feet for each attached dwelling unit, triplex unit, quadruplex unit, townhouse, and multi-family unit in excess of 10 units. All such active recreation space shall be accessible to all residents by means of internal pedestrian walkways.
- (B) **Off Street Parking.** No off street parking for multifamily dwellings shall be permitted in areas between buildings and streets, unless such parking areas are sufficiently bermed and screened so that the parking areas are not visible from the street.
- (C) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 6,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-510**

**Utility Requirements.** All utility distribution lines in the R-8 district shall be placed underground.

**3-511**

**Development Setback and Access from Major Roads.** In designing residential development, the ~~following~~ requirements of Section 5-900 shall be observed:

~~(A)Setback. No building shall be located closer than 100 feet from the right of way of any arterial road, 75 feet from the right of way of any major collector, and twenty five (25) feet from any other road right of way, except where lots are developed pursuant to Section 3-506(C)(3).~~

~~(B)Access. No individual lot or housing unit created after the adoption of this Ordinance shall have direct access to arterial or major collector roads.~~

1 | ~~(C)(A)~~ **Private Streets.** Roads, serving townhouse and multifamily uses  
2 only, may be designed and constructed to private streets standards  
3 set forth in the Facilities Standards Manual, provided the following  
4 conditions are met:

5 (1) All residences served by the private road shall be subject to  
6 a recorded covenant expressly requiring private  
7 maintenance of such road in perpetuity and the  
8 establishment, commencing with the initial record plat, of a  
9 reserve fund for repairs to such road.

10 (2) The record plat and protective covenants for such  
11 development shall expressly state that the County and  
12 VDOT have no and will have no responsibility for the  
13 maintenance, repair, or replacement of private roads.

14 (3) Sales brochures or other literature and documents, provided  
15 by the seller of lots served by such private roads, shall  
16 include information regarding responsibility for  
17 maintenance, repair, replacement, and covenants pertaining  
18 to such lots, including a statement that the County has no  
19 and will have no responsibility for the maintenance, repair,  
20 or replacement of private roads.

21 Roads serving other uses shall be designed and constructed to  
22 VDOT standards for inclusion in the state highway system.

**Section 3-600**

**R-16 Townhouse/Multifamily Residential.**

**3-601**

**Purpose.** The R-16 Townhouse/Multifamily Residential district is established to provide for manufactured housing, townhouse and multiple family dwelling units at gross residential parcel densities not to exceed sixteen (16) units per acre in areas served by public water and sewer service and designated primarily for infill development or in other locations consistent with the Comprehensive Plan.

**3-602**

**Size and Location.** This district shall be no less than two (2) acres nor more than twenty-five (25) acres in size. Incremental and contiguous additions of no less than one (1) acre to an existing R-16 zoning district shall be allowed. Larger parcels may be developed in accord with Section 4-100 as Planned Development Housing Districts. This district shall be mapped only in locations in close proximity to arterials or major collectors; with pedestrian linkages to nearby established or planned employment centers, shopping or other community support services; consistent with the Comprehensive Plan; and planned or served by public transit or designated for public transit in the Comprehensive Plan.

**3-603**

**Permitted Uses.** The following uses are permitted in this district:

- (A) Child care home, pursuant to Section 5-609.
- (B) Home occupation, pursuant to Section 5-400.
- (C) Dwelling, multi-family.
- (D) Public or private playground or neighborhood park.
- (E) Recycling drop-off collection center, small, pursuant to 5-607 (A).
- (F) Dwelling, single family, attached.
- (G) Commuter parking lot, with less than fifty (50) spaces.
- (H) Utility substation, dedicated.
- ~~(I) Construction and/or sales trailer, during period of construction activity.~~
- ~~(J)(I)~~ Bus shelter.
- ~~(K)(J)~~ Sewer pumping station.
- ~~(L)(K)~~ Water pumping station.
- ~~(M)(L)~~ School, public.

~~(N)(M)~~ Telecommunications roof top antenna on a multi-family structure which is forty (40) feet or greater in height, pursuant to Section 5-618.

**3-604**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) Child or adult day care center, pursuant to Section 5-609.
- (B) Church, synagogue and temple.
- (C) Community center.
- (D) Country club.
- (E) Fire, police and rescue station.
- (F) Golf course.
- (G) Library.
- (H) Playing fields and courts, lighted.
- (I) Orphanage or similar institution.
- (J) Private club or lodge.
- (K) School.
- (L) Utility substation, transmission, pursuant to Section 5-616.
- (M) Utility transmission lines, overhead.
- (N) Water treatment plant.
- (O) Sewage treatment plant.
- (P) Continuing care facility.
- (Q) Commuter parking lot with greater than fifty (50) spaces.
- (R) Congregate housing facility.
- (S) Structure or use for federal, state, county, or local government purposes, not otherwise listed.

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(2) **Dwellings, Single Family Attached and Attached  
Manufactured Housing.**

(a) **Front.** 40 feet minimum from centerline of travelway which does not include parking. 45 feet minimum from the centerline of travelway which does include parking.

(b) **Side.** No requirement ~~for interior lots with~~ along common walls; minimum side yard on end units shall be 8 feet.

(c) **Rear.** 25 feet minimum-~~, no requirement along~~ common walls.

(3) **Traditional Design Option for Single Family Attached.**

(a) **Front.** When dwellings front on a street and include a landscaped strip and sidewalk totalling 8 feet in depth, and where vehicular access to parking is provided from the rear of the lot, a minimum yard of 12 feet from the back of the curb shall be provided. However, where the district abuts an existing or planned residential district or land bay, or development of a lower density without an intervening street, the front yard setback shall equal the front yard setback of the lowest abutting density district, land bay or development.

(b) **Side.** No requirement for interior lot with common wall; minimum side yard on end unit shall be 8 feet.

(c) **Rear.** 25 feet.

(4) **Multifamily Structures.**

(a) **Front.** 40 feet minimum from centerline of travelway which does not include parking. 45 feet minimum from the centerline of travelway which does include parking.

(b) **Side.** Buildings placed side to side shall have a minimum distance of twenty (20) feet between buildings; buildings placed side to back shall have a minimum distance of thirty-five (35) feet between buildings. Buildings back to back shall have a

1 minimum distance of fifty (50) feet between  
2 buildings. End buildings shall have a minimum  
3 side yard of twenty-five (25) feet to the property  
4 line or private access easement line.

5 (c) **Rear.** 25 feet minimum.

6 (D) **Length Width Ratio.** 7:1 maximum.

7 **3-607 Building Requirements.**

8 (A) **Lot Coverage.** Sixty percent (60%) maximum.

9 (B) **Building Height.**

10 (1) Single Family Attached: 45 feet maximum.

11 (2) Multifamily: 3 45 feet provided that a multi-family  
12 structure may be erected to a maximum of 55 feet if it is  
13 setback from streets or from lot lines in addition to each of  
14 the required minimum yard dimensions, a distance of not  
15 less than ~~two (2) feet~~ one (1) foot for each one (1) foot of  
16 height that it exceeds the ~~3 45~~-foot limit.

17 (C) **Maximum Units Per Building.** No one structure shall contain  
18 more than eight (8) townhouse dwelling units. ~~nor more than sixty-~~  
19 ~~four (64) multifamily dwelling units.~~

20 **3-608 Additional Development Standards.**

21 (A) **Active Recreation Space.** A minimum of 5,000 square feet of  
22 active recreation space shall be provided for each development of  
23 ten (10) units. Thereafter, an additional 200 square feet minimum  
24 shall be provided for each manufactured housing, attached  
25 dwelling unit, triplex unit, quadruplex unit, townhouse and multi-  
26 family unit in excess of 10 units. All such active recreation space  
27 shall be accessible to all residents by means of internal pedestrian  
28 walkways.

29 (B) **Off Street Parking.** No off street parking for multifamily  
30 dwellings shall be permitted in areas between buildings and streets,  
31 unless such parking areas are sufficiently bermed and screened so  
32 that the parking areas are not visible from the street.

33 (C) **Minimum Buffer.** A permanent common open space buffer of  
34 fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-

1414(B)) shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 8,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-609 Utility Requirements.** All utility distribution lines in the R-16 district shall be placed underground.

**3-610 Development Setback and Access From Major Roads.** In designing residential development, the ~~following~~ requirements of Section 5-900 shall be observed.:

~~(A) Setback. No building shall be located any closer than 100 feet from the right of way of any arterial road, and 75 feet from the right of way of a major collector, and twenty five (25) feet from any other road right of way.~~

~~(B) Access. No individual lot or housing unit created after adoption of this Ordinance shall have direct access to arterial or major collector roads.~~

~~(C)(A)~~ **Private Streets.** Roads, serving townhouse and multifamily uses only, may be designed and constructed to private streets standards set forth in the Facilities Standards Manual, provided the following conditions are met:

- (1) All residences served by the private road shall be subject to a recorded covenant expressly requiring private maintenance of such road in perpetuity and the establishment, commencing with the initial record plat, of a reserve fund for repairs to such road.
- (2) The record plat and protective covenants for such development shall expressly state that the County and VDOT have no and will have no responsibility for the maintenance, repair, or replacement of private roads.
- (3) Sales brochures or other literature and documents, provided by the seller of lots served by such private roads, shall include information regarding responsibility for maintenance, repair, replacement, and covenants pertaining to such lots, including a statement that the County has no and will have no responsibility for the maintenance, repair, or replacement of private roads.

(H) Bus shelter.

~~(I) Construction and/or sales trailer, during period of construction activity.~~

~~(J)(I)~~ Sewer pumping station.

~~(K)(J)~~ Water pumping station.

~~(L)(K)~~ School, public.

~~(M)(L)~~ Telecommunications antenna, pursuant to Section 5-618(A).

~~(N)(M)~~ Telecommunications monopole, pursuant to Section 5-618(B)(1).

**3-704**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

(A) Child or adult day care center, pursuant to Section 5-609.

(B) Church, synagogue and temple.

(C) Community center.

(D) Country club.

(E) Fire and/or rescue station.

(F) Library.

(G) Orphanage or similar institution.

(H) Playing fields and courts, lighted.

(I) Private club or lodge.

(J) School.

(K) Utility substation, transmission, pursuant to Section 5-616.

(L) Utility transmission lines, overhead.

(M) Congregate housing facility.

(N) Water treatment plant.

(O) Commuter parking lot, with greater than fifty (50) spaces.

side yard of twenty-five (25) feet to the property line or private access easement line.

(3) **Rear.** 25 feet minimum.

(D) **Length/Width Ratio.** 6:1 maximum.

**3-707 Building Requirements.**

(A) **Lot Coverage.** 60 percent maximum.

(B) **Building Height.** ~~3~~ Forty five (45) feet provided that a multi-family structure may be erected to a maximum of ~~55~~ sixty (60) feet if it is set back from streets or from lot lines in addition to each of the required minimum yard dimensions, a distance of not less than ~~two (2) feet one (1) foot~~ for each one (1) foot of height that it exceeds the ~~3~~ forty five (45)-foot limit.

~~(C) **Maximum Units Per Building.** No one structure shall contain more than sixty four (64) multifamily dwelling units.~~

**3-708 Additional Development Standards.**

(A) **Active Recreation Space.** A minimum of 5,000 square feet of active recreation space shall be provided for each development of ten (10) units. Thereafter, an additional 200 square feet minimum shall be provided for each multi-family unit in excess of ten (10) units. All such active recreation space shall be accessible to all residents by means of internal pedestrian walkways.

(B) **Off Street Parking.** No off-street parking for multifamily dwellings shall be permitted in areas between buildings and streets, unless such parking areas are sufficiently bermed and screened so that the parking areas are not visible from the street.

(C) **Minimum Buffer.** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 8,000 square feet or greater. Such buffer area may be included in open space calculations.

**3-709 Utility Requirements.** All utility distribution lines in the R-24 district shall be placed underground.

3-710

**Development Setback and Access from Major Roads.** In designing residential development, the ~~following~~ requirements of Section 5-900 shall be observed.:

~~(A)Setback. No building shall be located closer than 100 feet from the right of way of any arterial road, and 75 feet from the right of way of any major collector, and twenty five (25) feet from any other road right of way.~~

~~(B)Access. No individual lot or housing unit created after adoption of this Ordinance shall have direct access to arterial or major collector roads.~~

~~(C)(A)~~ **Private Streets.** Roads, serving townhouse and multifamily uses only, may be designed and constructed to private streets standards set forth in the Facilities Standards Manual, provided the following conditions are met:

- (1) All residences served by the private road shall be subject to a recorded covenant expressly requiring private maintenance of such road in perpetuity and the establishment, commencing with the initial record plat, of a reserve fund for repairs to such road.
- (2) The record plat and protective covenants for such development shall expressly state that the County and VDOT have no and will have no responsibility for the maintenance, repair, or replacement of private roads.
- (3) Sales brochures or other literature and documents, provided by the seller of lots served by such private roads, shall include information regarding responsibility for maintenance, repair, replacement, and covenants pertaining to such lots, including a statement that the County has no and will have no responsibility for the maintenance, repair, or replacement of private roads.

Roads serving other uses shall be designed and constructed to VDOT standards for inclusion in the state highway system.

- (Y) Crematorium.
- (Z) School, private, accessory to a church.
- (AA) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (BB) Car wash, accessory to a convenience food store, pursuant to Section 5-617.
- (CC) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (DD) Police Station.

**3-805**

**Lot Requirements.**

- (A) **Size.** 20,000 square feet minimum, exclusive of major floodplain.
- (B) **Width.** 100 feet minimum.
- (C) **Yards.** Each lot shall provide the following yards:
- (1) **Front.** 50 feet minimum.
- (2) **Side.** 20 feet minimum for interior side yard; 100 feet minimum side yard abutting an existing or planned residential use.
- (3) **Rear.** 50 feet minimum; 100 feet abutting an existing or planned residential use.
- (4) **Development Setback and Access From Major Roads.**  
In designing commercial development, the requirements of Section 5-900 shall be observed.

~~(4) Other exceptions:~~

~~(a) 50 feet minimum abutting a minor collector road.~~

~~(b) 75 feet minimum abutting a major collector road.~~

~~(c) 100 feet minimum abutting arterial roads.~~

~~(d) No parking area shall be located within 25 feet of a public right of way.~~

**3-806**

**Building Requirements.**

- (A) **Lot Coverage.** 35 percent maximum.

(B) **Building Height.** ~~45~~ 35 feet maximum.

(C) **Floor Area Ratio.** 0.40 maximum.

**3-807**

**Use Limitations.**

(A) Access shall not be allowed through residential areas.

(B) No individual lot created after the adoption of this Ordinance shall have direct access to arterial or major collector roads.

(C) Yards, berms, vegetative screening, fences, or walls shall be provided to buffer residential districts and public streets from uses allowed in this district. In particular, outdoor storage, off-street parking areas, service areas for loading and unloading and for storage and collection of materials, supplies, refuse and garbage shall be screened so that such areas are not visible from the street.

(D) **Utility Requirements.** All utility distribution lines in the GB district shall be placed underground.

- 1 (L) Flex industrial uses, pursuant to Section 5-608.
- 2 (M) Funeral home or mortuary.
- 3 (N) Health and fitness center, pursuant to Section 3-907(F).
- 4 | (O) Hotel/~~Motel~~, 75 rooms or greater, pursuant to Section 5-611 and  
5 Section 3-907(F).
- 6 (P) Mass transit facilities.
- 7 (Q) Medical care facility, outpatient only, pursuant to Section 3-  
8 907(F).
- 9 (R) Nursery, commercial.
- 10 (S) Office, administrative, business and professional, pursuant to  
11 Section 3-907(F).
- 12 (T) Park, public.
- 13 (U) Police Station.
- 14 (V) Post office, drop off and pick up.
- 15 (W) Postal service, including overnight mail distribution facility.
- 16 (X) Printing service.
- 17 (Y) Public utility service center, without outdoor storage.
- 18 (Z) Research, experimental, testing or development activities.
- 19 (AA) Sewer pumping station.
- 20 (BB) Telecommunications antenna, pursuant to Section 5-618(A).
- 21 (CC) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- 22 (DD) Utility substation, dedicated.
- 23 (EE) Utility substation, distribution, pursuant to Section 5-616.
- 24 (FF) Veterinary service.
- 25 (GG) Warehousing facility.

- (T) Retail sales establishment.
- (U) Sewage treatment plant.
- (V) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (W) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (X) Utility substation, transmission, pursuant to Section 5-616.
- (Y) Utility transmission lines, overhead.
- (Z) Water storage tank
- (AA) Water treatment plant.

**3-905**

**Lot Requirements.**

- (A) **Size.** Two (2) acres minimum.
- (B) **Width.** 200 feet minimum.
- (C) **Depth.** 200 feet minimum.
- (D) **Yards.**

(1) **Adjacent to Roads.** ~~Except where a greater setback is required by Section 5-900, thirty five (35) feet for building; twenty five (25) feet for parking, 50 feet adjacent to a primary highway (as defined in Section 33.1-25 of the Code of Virginia, 1950 as amended). No building, parking lots, loading/unloading areas, outdoor storage, or areas for the collection or storage of refuse shall be permitted in any required yard adjacent to a public right of way.~~

(2) **Adjacent to Parcel Boundaries.**

- (a) **With Other Nonresidential Districts.** 25 feet minimum, buildings; 10 feet minimum, parking lot, loading unloading areas, and areas for the collection or storage of refuse. The Zoning Administrator may waive the parking lot yard requirement when necessary to permit shared parking and access arrangements between uses on individual parcels.
- (b) **With Residential Districts.** 25 feet minimum. No building, parking lots, loading/unloading areas,

1 outdoor storage, or areas for the collection or  
2 storage of refuse shall be permitted in any required  
3 yard adjacent to a residential zoning district.

4 **3-906 Building Requirements.**

5 (A) **Lot Coverage:** 45 percent maximum.

6 (B) **Building Height:** ~~45~~35 feet maximum. The maximum building  
7 height may be increased provided that one (1) foot~~five (5)~~  
8 ~~additional feet are~~ is added to each of the required yard setbacks  
9 for each additional one (1) foot of building height up to a  
10 maximum of (55) feet total height. Additional height limitations  
11 for areas or building sites or lots directly under an airport runway  
12 flight path may be imposed in accordance with applicable Federal  
13 Aviation Administration regulations.

14 (C) **Base Floor Area Ratio:** 0.30 maximum.

15 (D) **Adjusted Base Floor Area Ratio.**

16 (1) The base floor area ratio in the CLI district may be  
17 increased on certain parcels by approval of the Zoning  
18 Administrator, upon demonstration of one or more of the  
19 following:

20 (a) A density increase of 0.1 FAR above the base floor  
21 area ratio shall be granted to properties or portions  
22 of properties located within 600 feet of the right-of-  
23 way of a road in the primary system of state  
24 highways (as defined in Section 33.1-25 of the  
25 *Code of Virginia*, 1950 as amended) if:

26 (i) Such properties are not located at an existing  
27 median break of such road; and

28 (ii) The owner(s) of such properties  
29 permanently relinquish direct access to such  
30 road; and

31 (iii) The owner(s) of such properties form shared  
32 access agreements with the owner(s) of  
33 adjoining properties that enable controlled  
34 access to such road for multiple uses. Such  
35 shared access agreements shall remain in  
36 effect in perpetuity or until future public

- 1 (K) Warehousing facility.
- 2 (L) Wholesale trade establishment.
- 3 (M) Bakery, commercial.
- 4 (N) Business service establishment.
- 5 (O) Concrete mixing plant, accessory to an approved quarry use.
- 6 (P) Contractor service establishment with accessory outdoor storage.
- 7 (Q) Distribution facility.
- 8 (R) Dwelling, single-family, accessory to permitted or special  
9 exception uses.
- 10 (S) Heavy equipment and special vehicle repair.
- 11 (T) Manufacture, processing, fabrication and/or assembly, distribution  
12 of products, such as, but not limited to: Scientific and precision  
13 instruments, photographic equipment, communication,  
14 computation equipment, drugs, medicines, pharmaceutical,  
15 household appliances, toys, sporting and athletic goods, die-cut  
16 paperboard and cardboard, glass products made of purchased glass,  
17 electric lighting and wiring equipment, service industry machines,  
18 lithographic and printing processes, industrial controls, radio and  
19 TV receiving sets, watches and clocks, bags and containers,  
20 sanitary paper products, optical goods, electrical machinery,  
21 mobile homes, prefabricated and modular housing and  
22 components, dairy products, feed and grain, baked and  
23 confectioners' goods, farm machinery, fruit and vegetable  
24 processing, canning, storage.
- 25 (U) Motor vehicle service and repair, heavy, accessory to an approved  
26 principal use.
- 27 (V) Outdoor sales area, accessory.
- 28 ~~(W) Motor vehicle storage and impoundment, accessory to an approved~~  
29 ~~principal use.~~
- 30 ~~(X)(W)~~ Park.
- 31 ~~(Y)(X)~~ Veterinary service.
- 32 ~~(Z)(Y)~~ Animal hospital.

~~(AA)(Z)~~ Vehicle storage, outdoor. Outdoor storage, vehicles.

~~(BB)(AA)~~ Water pumping station.

~~(CC)(BB)~~ Utility substation, dedicated.

~~(DD)(CC)~~ Retail sales of crushed stone or architectural stone products, accessory to an approved quarry use.

~~(EE)(DD)~~ Sewer pumping station.

~~(FF)(EE)~~ Utility substation, distribution, pursuant to Section 5-616.

~~(GG)(FF)~~ Storage, outdoor accessory.

~~(HH)(GG)~~ Crushing, treating, washing, and/or processing of materials, accessory to a quarry operation, when conducted on the same property.

~~(II)(HH)~~ Motor vehicle service and repair.

~~(JJ)(II)~~ Motor vehicle storage and impoundment.

~~(KK)(JJ)~~ Telecommunications antenna, pursuant to Section 5-618(A).

~~(LL)(KK)~~ Telecommunications monopole, pursuant to Section 5-618(B)(1).

~~(MM)(LL)~~ Telecommunications tower, pursuant to Section 5-618(C)(1).

(MM) Storage of empty solid waste vehicles and containers.

**3-1004**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300.

(A) Asphalt mixing plant.

(B) Automobile graveyard or junk yard.

(C) Cemetery, mausoleum and memorial park.

(D) Crushing, treating, washing and/or processing of materials.

(E) Utility transmission lines, overhead.

- 1 (F) Fire and/or rescue station.
- 2 (G) Manufacturing of concrete block, cinderblock or pre-formed
- 3 concrete products.
- 4 (H) Sewage treatment plant.
- 5 (I) Solid waste incinerator, landfill or transfer station.
- 6 (J) Stone quarrying, pursuant to Sections 3-1007 and 3-1008.
- 7 ~~(K)~~ ~~Stump processing plant.~~
- 8 ~~(L)~~ ~~(K)~~ Utility substation, transmission, pursuant to Section 5-616.
- 9 ~~(M)~~ ~~(L)~~ Water treatment plant.
- 10 ~~(N)~~ ~~(M)~~ Telecommunications monopole, pursuant to Section 5-618(B)(2).
- 11 ~~(O)~~ ~~(N)~~ Borrow pit for road construction.
- 12 ~~(P)~~ ~~(O)~~ Concrete mixing plant.
- 13 ~~(Q)~~ ~~(P)~~ Automotive service station.
- 14 ~~(R)~~ ~~(Q)~~ Commuter parking lot.
- 15 ~~(S)~~ ~~(R)~~ Dry cleaning plant.
- 16 ~~(T)~~ ~~(S)~~ Firearm range, indoor.
- 17 ~~(U)~~ ~~(T)~~ Golf course.
- 18 ~~(V)~~ ~~(U)~~ Heavy equipment and specialty vehicle sales.
- 19 ~~(W)~~ ~~(V)~~ Kennel.
- 20 ~~(X)~~ ~~(W)~~ Mass transit facilities and stations.
- 21 ~~(Y)~~ ~~(X)~~ Material recovery facility, pursuant to Section 5-607(D).
- 22 ~~(Z)~~ ~~(Y)~~ Storage, bulk gasoline, petroleum products and natural gas, small
- 23 and large.
- 24 ~~(AA)~~ ~~(Z)~~ Storage, mini-warehouse.
- 25 ~~(BB)~~ ~~(AA)~~ Utility generating plant or transmission facility.

- ~~(CC)~~(BB) Printing service, plant.
- ~~(DD)~~(CC) Water storage tank.
- ~~(EE)~~(DD) Crematorium.
- ~~(FF)~~(EE) Vegetative waste ~~composting~~ management facility.
- ~~(GG)~~(FF) Telecommunications tower, pursuant to Section 5-618(C)(2).
- ~~(HH)~~(GG) Police Station.

**3-1005 Lot Requirements.**

- (A) **Size.** 3 acres minimum, exclusive of major floodplain.
- (B) **Width.** 300 feet minimum fronting on Class I roads; 200 feet fronting on Class II roads or private access easements.
- (C) **Depth.** 500 feet minimum.
- (D) **Length/Width Ratio.** 3.5 times lot width maximum.
- (E) **Yards.** No structure or use shall be located within fifty (50) feet of any property line.
- (F) **Development Setback and Access From Major Roads. In designing industrial development, the requirements of Section 5-900 shall be observed.**

**3-1006 Building Requirements.**

- (A) **Lot Coverage.** 50 percent maximum.
- (B) **Building Height.** ~~Forty (40)~~ 35-feet maximum for all buildings except non-habitable structures associated with a quarry operation. Such structures are permitted by right to 120 feet in height provided they are set back from property lines and district boundaries an additional setback of two (2) feet for each one (1) foot in height above ~~forty (40)~~ 35 feet. Such structures require special exception approval for heights in excess of 120 feet.
- (C) **Floor Area Ratio.** .75 maximum.

**3-1007 Use Limitations.**

1 floor area per land bay, to be developed. Office,  
2 commercial and industrial uses shall follow those  
3 requirements set forth in the PD-CC, PD-OP, or PD-IP  
4 zoning districts respectively as designated on the  
5 preliminary subdivision plan.

- 6 (3) Requirements of these districts may be modified in  
7 connection with a PD-H rezoning, or as a separate  
8 application thereafter, provided that the proposal meets the  
9 criteria of Section 6-1504.

10 (D) **Building Requirements.**

11 ~~(1) Impervious Surface. In no case shall the impervious surface~~  
12 ~~ratio of any single lot or parcel developed under Sections 4-~~  
13 ~~105, 4-106, 4-107, or 4-108 exceed seventy (70%) percent.~~

14 ~~(2)(1) Floor Area Ratio.~~ Not applicable to residential uses;  
15 maximum .40 FAR for any retail or service use, offices or  
16 industrial parks.

- 17 (E) **Planning and Design Guidelines.** The Board, by resolution after  
18 a public hearing on such guidelines, may adopt and utilize separate  
19 planning and design guidelines to supplement the Zoning  
20 Ordinance in the review of applicant proposals for PD-H districts.

21 **4-105 Retail and Service Uses.** These uses are intended to serve primarily the  
22 convenience needs of the PD-H District. Total land area devoted to such  
23 uses, including uses allowed under Sections 4-106 and 4-107, shall not  
24 exceed three (3%) percent of the total land area of the planned  
25 development district.

26 **4-106 Planned Shopping Centers.** These uses are permissible as provided in  
27 Section 4-200(A)&(B) (neighborhood and community centers only),  
28 subject to the following additional restrictions and requirements, and  
29 provided that dwelling units may be permitted on levels above street level  
30 at densities not to exceed one (1) dwelling unit per 2,000 square feet of  
31 gross floor area devoted to commercial purposes.

- 32 (A) All requirements shall be as for PD-CC (neighborhood or  
33 community centers only) as outlined herein, provided however that  
34 first floor location uses shall be restricted to commercial, personal  
35 service, and finance establishments.

- 36 (B) The location of the shopping center shall provide convenient  
37 access to major or minor collector streets without creating through

1 traffic in residential neighborhoods, causing traffic hazards or  
2 congestion, or impeding free traffic flow.

- 3 (C) Layout of building, parking and service areas, access, berms and  
4 landscaping, yards, courts, walls, signs and lighting, and control of  
5 noise shall protect the residential character of the PD-H district and  
6 any other residential districts in the vicinity.

7 ~~(D) Lot coverage by all buildings shall not exceed twenty (20%) percent of~~  
8 ~~the net area of the site, exclusive of adjoining streets.~~

9 ~~(E)(D)~~ The maximum Floor Area Ratio for such uses shall not exceed .40.

10 ~~(F)(E)~~ Non-vehicular open space in an amount equal to at least thirty  
11 (30%) of the net area of the site exclusive of adjoining streets shall  
12 be provided. Such space shall be landscaped and located to  
13 provide buffering and convenient pedestrian circulation.

14 ~~(G)(F)~~ Where appropriate accessways may be so located as to serve other  
15 uses in the district subject to the limitations of Section 4-106(B).

16 ~~(H) No individual lot created after the adoption of this Ordinance, shall~~  
17 ~~have direct access to arterial or major collector roads.~~

18 **4-107**

**Convenience Establishments.**

- 19 (A) **Uses permitted.** For purposes of these regulations, convenience  
20 establishments are defined as small establishments designed and  
21 intended to serve the daily or frequent trade or service needs of the  
22 immediately surrounding population. Such establishments, as  
23 permitted in PD-H districts, include groceries, variety stores,  
24 pharmacies pursuant to Section 5-659, coin-operated laundry and  
25 dry cleaning agencies, tailoring and dressmaking shops, beauty  
26 shops, barber shops, professional offices, carry-out restaurants and  
27 similar small scale uses. Specifically excluded are automobile  
28 service stations, repair garages, drive-in eating and drinking  
29 establishments.

- 30 (B) **Location grouping.** Convenience establishments shall be located  
31 only in portions of PD-H districts: (a) not served by similar  
32 facilities within walking distance; and (b) near dwelling unit  
33 densities of at least six (6) units per acre, as to provide substantial  
34 walk-in trade. Where more than one convenience establishment of  
35 this nature is proposed, they shall be grouped, arranged and  
36 designed for maximum pedestrian convenience. Vehicular access  
37 and parking areas shall be combined where such combination will

1 result in improvement in public convenience and vehicular  
2 circulation.

3 (C) **Control of potential adverse effects.** Convenience  
4 establishments shall not have substantial adverse effects on  
5 residential uses within the district or adjoining residential districts  
6 by reason of their location, design, construction, manner or timing  
7 of operation, signs, lighting, parking or access arrangements.  
8 Landscaped open space shall be utilized to protect the residential  
9 character of the PD-H and surrounding districts.

10 (D) **Maximum size of establishments.** No individual convenience  
11 establishment established under the provisions of this Section shall  
12 have a gross floor area in excess of 5,000 square feet, and no  
13 combination of such establishments in any one location shall have  
14 a total gross floor area of more than 10,000 square feet.

15 (E) **Lot Area, Width and Coverage.** No minimum lot area or width  
16 requirements are set for convenience establishments, but lot  
17 coverage by all buildings shall not exceed thirty percent (30%) of  
18 the net area of the lot or building site.

19 (F) **Yards: Building Spacing.** Yards shall have the same or greater  
20 depth as required for adjoining uses. Where space is left between  
21 buildings on the lot or building site, it shall be at least twenty five  
22 (25) feet in width.

23 (G) **Open Space.** Non-vehicular open space in an amount equal to at  
24 least fifteen percent (15%) of the net area of the site, exclusive of  
25 adjoining streets, shall be provided. Such space shall be  
26 landscaped or otherwise appropriately improved for general  
27 amenity to provide convenient pedestrian circulation, play areas  
28 for children, passive recreation areas and the like.

29 (H) **Off-street parking and multiple use of access.** Off-street parking  
30 spaces shall be two-thirds of that required for the PD-CC  
31 neighborhood center. Where appropriate to the general design of  
32 the district and timing of operations of the uses involved,  
33 accessways may be so located as to serve other uses in the district  
34 if such multiple use will not lead to congestion or hazards to  
35 pedestrian or vehicular traffic.

36 (I) **Access.** ~~The requirements of Section 5-900 shall be observed. No~~  
37 ~~individual lot shall have direct access to arterial or major collector~~  
38 ~~roads.~~

- (J) **Signs.** Sign limitations shall be as provided in Section 5-1200 of this ordinance, with business signs limited as provided in Section ~~5-1203(R)~~5-1204(D).

**4-108**

**PD-OP and PD-IP Uses.** Location of these uses within a PD-H district shall be consistent with the Comprehensive Plan. These uses shall comply with the following additional regulations and requirements:

- (A) Total land area devoted to such uses shall not exceed fifteen (15%) percent of the total land area of the planned development, and no single area devoted to such uses shall have less than ten (10) acres. Modification of this section may be permitted pursuant to Section 6-1504.
- (B) Total office floor space shall not exceed (200) square feet per allowed dwelling unit. Total industrial floor space shall not exceed 200 square feet per allowed dwelling unit. Modification of this section may be permitted pursuant to Section 6-1504.
- (C) Accessory retail and service uses may be provided within office and industrial buildings in an amount not to exceed five percent (5%) of total office or industrial floor space.
- (D) Permitted and special exception uses, minimum area requirements for individual lots, minimum landscaped open space, and minimum yard requirements shall all be governed by the provisions of Sections 4-300 (PD-OP) and 4-500 (PD-IP) which provisions shall act as regulations for the development of such sites.

**4-109**

**Site Planning - External Relationships.** Site planning within the PD-H district shall provide protection of the development from potentially adverse surrounding influences, and protection of surrounding areas from potentially adverse influences within the development. In particular and without limitation, the proposed development shall demonstrate the following features:

- (A) Principal vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. In general, minor streets shall not be connected with streets outside the district in such a way as to encourage the use of such minor streets by substantial amounts of through traffic.
- (B) **Protection of visibility - pedestrian/cyclist.** Where there is pedestrian or bicycle access to a street, no impediment to visibility more than 2-1/2 feet above the level of the center of the street shall

be allowed within the visibility triangle required in Section 5-300(B) or VDOT standard, whichever is greater.

(C) **Uses adjacent to single-family, agricultural, or residential districts or land bays allowing residential uses.** Where residential uses in a PD-H district adjoin a single-family residential, agricultural, or residential district or land bay allowing residential uses, or a commercially zoned development approved subject to proffers prior to adoption of this ordinance, the development shall provide for either:

(1) Single family dwellings on minimum lots of (20,000) square feet or greater, exclusive of major floodplain, along such perimeter; or,

(2) A permanent open space buffer along such perimeter at least fifty (50) feet in width, landscaped with a Type 2 Buffer Yard.

(D) Planned shopping centers and convenience establishments adjacent to single family or agricultural residential districts or land bays allowing residential uses shall provide a permanent open space buffer at least (75) feet in width with a Type 3 Buffer Yard. Other nonresidential uses in such perimeter areas shall provide the yards required by Section 4-305(B)(2) or Section 4-505(B)(2), as applicable and at least fifty (50) feet of the required yards shall be devoted to a permanent open space buffer with a Type 3 Buffer Yard.

(E) **Height limitations at edges of PD-H districts.** Except along boundaries where adjoining districts permit greater heights within similar areas, height limitations shall be limited to an imaginary plane leaning inward from district boundaries at an angle representing an increase in height of one (1) foot for every ~~one (1) foot~~~~two (2) feet~~ of horizontal distance perpendicular to the district boundary. No portion of any building in such district shall project through said imaginary plane.

**4-110 Site Planning - Internal Relationships.** The PD-H district shall provide the following:

(A) **Maximum Height Restrictions.** Dwellings and other uses allowed in residential zoning districts: as provided in the applicable R District. Commercial, industrial and office buildings:

**Open Space.**

(A) **Open Space.** A minimum of thirty percent (30%) of the land within the district, excluding the land designated for road rights-of-way, commercial and industrial uses, shall be devoted to open space. Active recreation space required under the Urban Residential Districts, in Article III, shall be counted toward the open space requirements and all, or a portion of, which may be located outside of the individual R-district land bay to create more functional recreation areas. Land comprising major floodplain, steep slopes, active recreation open space, common open space and dedicated open space shall all be counted toward satisfying this minimum open space requirement. The general location and character of the required open space shall be depicted on the Concept Development Plan.

(B) **Ownership, Operation and Management of Common Open Space and Common Facilities.**

(1) All common open space shall be preserved for its intended purpose as expressed in the Concept Development Plan. The developer shall choose prior to approval of the first record plat or final site plan, one (1) or a combination of the following methods of administering common open space:

(a) Public dedication to the County of the common open space, subject to acceptance by the Board of Supervisors.

(b) Establishment of a non-profit association, corporation, trust, or foundation of all owners of residential property within the planned development. Such organization shall conform to the following requirements:

(i) The organization must be established prior to approval of the first record plat or final site plan in the proposed development. The documents establishing such organization shall be reviewed and approved by the County.

(ii) Membership in the organization shall be mandatory for all residential property

**Section 4-200**

**PD-CC Planned Development - Commercial Center.**

**4-201**

**Purpose.** These districts are created to permit the development of neighborhood, community, and regional shopping centers in scale with surrounding market areas, at locations recommended in the Loudoun County Comprehensive Plan. These shopping centers shall serve areas not already conveniently and adequately provided with commercial and service facilities of the kind proposed. It is intended to permit the establishment of such districts with carefully organized buildings, service areas, parking areas and landscaped open space; with design features which reduce traffic; and with design, landscaping and buffers which protect property values in surrounding neighborhoods. Planned Development-Commercial Centers shall provide a broad range of facilities and services appropriate to the general need of the area served. Within the broad classification of Planned Development- Commercial Center, several separate types of shopping centers are identified. The type of center appropriate to any specific location shall be determined by the market served; the proximity and access provided to residential districts; and consistency with the Comprehensive Plan.

**4-202**

**Purpose, Size and Location of Individual Districts.**

(A) **Neighborhood Center (NC).** This district is established to permit the development of small scale commercial centers which serve the convenience needs of residential neighborhoods immediately adjacent to or within walking distance of the center. Neighborhood centers shall be located on local access or two lane minor collector roads, and shall be designed, landscaped and buffered so as to be compatible with neighboring development. When mapped, each district shall be a minimum of 1.5 acres and a maximum of six (6) acres in area. This district is intended to have a mix of uses of which no one use shall exceed 5000 square feet or 50% of the gross floor area of the center, whichever is less, without special exception approval.

(B) **Community Center (CC).** This district is established to permit the development of commercial centers which serve the retail shopping needs of the surrounding community. Community centers are centrally located on collector roads within a ten (10) minute drive to the community it is intended to serve. Such centers shall be sited so as to complement the character of the surrounding community, to include appropriate pedestrian linkages with adjacent land uses, and shall be designed, landscaped and buffered so as to be compatible with neighboring development.

When mapped such district shall be a minimum of six (6) acres and a maximum of twenty (20) acres in area.

(C) **Small Regional Center (SC).** This district is established to permit the development of small regional centers consisting of individual large and small scale commercial uses selling a broad range of goods or services to a market area beyond the local community. Specialty centers shall be located with controlled access to major collector roads and will be designed, landscaped, and buffered so as to be compatible with neighboring development. When mapped, such district shall be a minimum of twenty (20) acres and a maximum of sixty (60) acres.

(D) **Regional Center (RC).** This district is established to permit the development of large scale commercial centers which provide a wide range of retail, office, and service uses, with one or more anchor stores, to the regional market. Transportation facilities, public services, and site design shall be carefully planned so as to insure regional centers promote and reinforce the identity of the community and commercial facilities in the surrounding area. This district may be mapped in specific locations provided in the Comprehensive Plan. When mapped, this district shall be located with controlled access to arterial roads, and shall be a minimum of sixty (60) acres.

**4-203 Permitted Uses.** The following uses shall be permitted in each type of shopping center subject to the requirements and limitations of these regulations.

(A) **Neighborhood Center.**

- (1) Adult day care center.
- (2) Bank or financial institution, pursuant to Section 5-659.
- (3) Child care center, pursuant to Section 5-609.
- (4) Convenience food store without gas pumps, pursuant to Section 5-617.

~~(5) Office, medical and dental.~~

~~(6)(5) Personal service establishment.~~

~~(7)(6) Pharmacy, pursuant to Section 5-659.~~

|    |                      |   |
|----|----------------------|---|
| 1  | <del>(8)</del> (7)   | Recycling drop-off collection center, small, pursuant to 5-     |
| 2  |                      | 607 (A).  |
| 3  | <del>(9)</del> (8)   | Restaurant.   |
| 4  | <del>(10)</del> (9)  | Community center.   |
| 5  | <del>(11)</del> (10) | Office, administrative, business, <del>and</del> professional,  |
| 6  |                      | <u>medical and dental, not to exceed 20% of the gross floor</u> |
| 7  |                      | <u>area of the neighborhood center.</u>                         |
| 8  | <del>(12)</del> (11) | Agriculture, horticulture, forestry, and fishery.               |
| 9  | <del>(13)</del> (12) | Art gallery.  |
| 10 | <del>(14)</del> (13) | Business service establishment.                                 |
| 11 | <del>(15)</del> (14) | Commuter parking lot.   |
| 12 | <del>(16)</del> (15) | Facility for lessons in dance, gymnastics, judo, and            |
| 13 |                      | sports training.  |
| 14 | <del>(17)</del> (16) | Food store.   |
| 15 | <del>(18)</del> (17) | Health and fitness center.                                      |
| 16 | <del>(19)</del> (18) | Home service establishment.                                     |
| 17 | <del>(20)</del> (19) | Medical care facility, outpatient only.                         |
| 18 | <del>(21)</del> (20) | Park.   |
| 19 | <del>(22)</del> (21) | Post office, drop off and pick up.                              |
| 20 | <del>(23)</del> (22) | Restaurant, carry-out only.                                     |
| 21 | <del>(24)</del> (23) | Retail sales establishment.                                     |
| 22 | <del>(25)</del> (24) | Studio space - artist, crafts person, writer, etc.              |
| 23 | <del>(26)</del> (25) | Utility substation, dedicated.                                  |
| 24 | <del>(27)</del> (26) | Water pumping station.  |
| 25 | <del>(28)</del> (27) | Printing service.   |
| 26 | <del>(29)</del> (28) | Sewage pumping station.   |

~~(30)~~(29) Construction retail establishment.

~~(31)~~(30) Telecommunications antenna, pursuant to Section 5-618(A).

(31) Training Facility, accessory to a permitted or special exception use.

(32) Interactive Science & Technology Center.

**(B) Community Center.**

(1) All uses permitted in a Neighborhood Center, excluding:  
the following:

(a) Construction retail establishment.

(2) Theater, indoor.

(3) Bowling alley.

(4) Library.

(5) Recreation establishment, indoor.

(6) Restaurant, dinner theatre.

(7) Private club or lodge.

(8) Public utility service center, without outdoor storage.

(9) Radio and television recording studio.

**(C) Small Regional Center.**

(1) All uses permitted in a Neighborhood or Community Center, including a Construction retail establishment.

(2) Motor vehicle sales and accessory service.

(3) Car Wash.

(4) Motor vehicle service and repair, light.

(5) Restaurant, with drive-through facility.

(6) Restaurant, carry-out only.

(7) Motorcycle or ATV sales, rental, repair and associated service.

(8) Training Facility.

(D) **Regional Center.**

(1) Office, administrative, business and professional, medical and dental, but not to exceed twenty percent (20%) of the gross floor area~~total floor space~~ of the regional center.

(2) All uses permitted in a Neighborhood or Community Center, including a Construction retail establishment, but excluding the following:

(a) Home service establishment.

(3) Motor vehicle service and repair, light.

(4) Car wash.

(5) Restaurant, with drive-through facility.

(6) Restaurant, carry-out only.

(7) Training Facility.

**4-204**

**Special Exception Uses.** The following uses may be permitted by the Board of Supervisors, and if approved, may be subject to certain conditions, pursuant to Section 6-1300.

(A) **Neighborhood Center.**

(1) Any one permitted use in excess of 5,000 sq.ft. in gross floor area.

(2) Any one permitted use which exceeds fifty percent (50%) of the gross floor area of the neighborhood center in which it is located.

(3) Any compatible use which serves the immediate neighborhood and is not a use already listed for any district in the Zoning Ordinance.

(4) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.

- (5) Automotive service station.
- (6) Outdoor sales area, accessory.
- (7) Recreation establishment, indoor.
- (8) Fire and/or rescue station.
- (9) Mass transit facilities and stations.
- (10) Public utility service center, without outdoor storage.
- (11) Veterinary service.
- (12) Animal hospital or day care center for pets.
- (13) Water storage tank.
- (14) Water treatment plant.
- (15) Sewage treatment plant.
- (16) Crematorium.
- (17) Car wash, accessory to a convenience food store, pursuant to Section 5-617.
- (18) Police station.
- (19) Office, administrative, business, professional, medical and dental in excess of 20% of the gross floor areas of the neighborhood center.
- (20) Training Facility.

**(B) Community Center.**

- (1) Any compatible use which serves the surrounding community and is not a use already listed for any district in the Zoning Ordinance.
- (2) Automobile service station.
- (3) Office, administrative, business, professional, medical and dental, in excess of ~~but not to exceed twentyten~~ percent (~~40~~20%) of the total floor space of the community center.

- (4) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.
- (5) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (6) Outdoor sales area, accessory.
- (7) Fire and/or rescue station.
- (8) Mass transit facilities and stations.
- (9) Restaurant, with drive-through facilities.
- (10) Veterinary service.
- (11) Animal hospital.
- (12) Sewage treatment plant.
- (13) Water treatment plant.
- (14) Water storage tank.
- (15) Crematorium.
- (16) Construction retail establishment.
- (17) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (18) Police station.

(19) Training Facility.

(C) **Small Regional Center.**

- (1) Same as Community Center, excluding the following:
- (a) Construction retail establishment.
- (2) ~~Motel.~~ Kennel, Indoor, pursuant to Section 5-606.
- (3) Hotel/Motel, pursuant to Section 5-611.
- (4) Motor vehicle rental, with outdoor storage only.

1 (D) **Regional Center.**

2 (1) Same as Small Regional Center.

3 (2) Kennel, Indoor, pursuant to Section 5-606.

4 **4-205 Lot Requirements.**

5 (A) **Size.** No minimum.

6 (B) **Width.** No minimum.

7 (C) **Yards.** The following perimeter yard minimums shall be provided  
8 for each type of commercial center:

9 (1) **Adjacent to Roads.**

10 (a) **Neighborhood Center (NC).** No building,  
11 parking, outdoor storage, areas for collection of  
12 refuse, or loading area shall be permitted closer than  
13 (25) feet to any road right-of-way, however if a  
14 structure's front entrance faces the street without an  
15 intervening parking area, the depth of such yard  
16 may be reduced to thirteen (13) feet except as  
17 provided in Section 4-206(E).

18 (b) **Community Center (CC).** No building, parking,  
19 outdoor storage, areas for collection of refuse, or  
20 loading area shall be permitted closer than (35) feet  
21 to any road right-of-way, except as provided in  
22 Section 4-206(E). No parking, outdoor storage,  
23 areas for collection of refuse or loading space shall  
24 be permitted in areas between buildings and streets  
25 where such uses are visible from any road.

26 (c) **Small Regional Center (SC).** No building,  
27 parking, outdoor storage, areas for collection of  
28 refuse, or loading area shall be permitted closer than  
29 (35) feet to any road right-of-way, except as  
30 provided in Section 4-206(E). No parking, outdoor  
31 storage, areas for collection of refuse or loading  
32 space shall be permitted in areas between buildings  
33 and streets where such uses are visible from any  
34 road.

(d) **Regional Center (RC).** No building, parking, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than (50) feet to any road right-of-way, except as provided in Section 4-206(E). No parking, outdoor storage, areas for collection of refuse or loading space shall be permitted in areas between buildings and streets where such uses are visible from any road.

(2) **Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses.** (All Centers) No building, parking, outdoor storage, areas for collection of refuse or loading area shall be permitted closer than (100) feet to any agriculture districts, any existing or planned residential district, or land bays allowing residential uses. No parking, outdoor storage, areas for collection of refuse or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where such uses or areas are visible from said agricultural and residential areas.

(3) **Adjacent to Other Nonresidential Districts.** Thirty five (35) feet for buildings, parking, outdoor storage, and loading areas, except where a greater area is required by Section 5-1400.

**4-206 Building Requirements.**

(A) **Lot Coverage.** No maximum.

(B) **Floor Area Ratio.** .40 maximum with surface parking lots; .60 maximum if parking structures are provided; 2.0 maximum on individual lots within a commercial center, provided the commercial center is developed in accordance with a proffered concept development plan which limits the maximum overall FAR of the center to no more than .40 FAR.

(C) **Building Height.** No building in any commercial center shall exceed ~~forty five (45)~~35 feet; except that in small regional and regional centers a building may be erected to a maximum of 50 feet in a Small Regional Center and 100 feet in a Regional Center district if it is set back from public streets or from lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard

1 dimensions, a distance of not less than ~~one (1) foot two (2) feet~~ for  
2 each one (1) foot of height that it exceeds the ~~thirty five (35) forty~~  
3 ~~five (45)~~ foot limit.

- 4 (D) **Vehicular Access.** Primary access ~~and through vehicular traffic~~  
5 ~~impacting residential neighborhoods~~ shall be ~~avoided prohibited on~~  
6 ~~residential neighborhood streets. This prohibition does not apply~~  
7 ~~to collector roads through residential neighborhoods.~~ Each  
8 commercial center shall provide a vehicular circulation plan that  
9 minimizes direct vehicular access to parking stalls from major  
10 cartways, and provides other on and off-site improvements to  
11 enhance pedestrian and vehicular circulation. Minor streets shall  
12 not be connected with streets outside the district in such a way as  
13 to encourage the use of such minor streets by through and  
14 construction traffic. In addition, each commercial center shall  
15 provide convenient and coordinated vehicular access to public  
16 roadways only as follows:

- 17 (1) **Neighborhood Centers.** Local access roads.  
18 (2) **Community Centers.** Collector roads.  
19 (3) **Small Regional Centers.** Major collector roads.  
20 (4) **Regional Centers.** Controlled access onto arterial roads.

- 21 (E) **Development Setback and Access from Major Roads.** In  
22 designing a planned shopping center development, the ~~following~~  
23 requirements ~~of Section 5-900~~ shall be observed.:

24 ~~(1)Setback. No building shall be located any closer than 100 feet~~  
25 ~~from the right of way of any arterial road and 75 feet from~~  
26 ~~the right of way of a major collector.~~

27 ~~(2)Access. No individual lot or use created after adoption of this~~  
28 ~~Ordinance shall have direct access to an arterial or major~~  
29 ~~collector road.~~

- 30 (F) **Pedestrian Access.**

- 31 (1) **Pedestrian Circulation Plan.** Each commercial center  
32 shall provide a pedestrian circulation plan identifying  
33 improvements that accomplish the following:  
34 (a) Minimizes conflict between pedestrians and moving  
35 motor vehicles.

**Section 4-300**

**PD-OP Planned Development - Office Park.**

**4-301**

**Purpose.** A Planned Development - Office Park district is established primarily for administrative, business and professional offices and necessary supporting accessory uses and facilities, designed with a park-like atmosphere and environmentally sensitive design to accommodate and complement existing natural features including extensive landscaping, low ground coverage by buildings, buildings of moderate height, and careful attention to such aesthetic considerations as location and size of signs, lighting, parking and service areas and the like.

**4-302**

**Size and Location.** When mapped, the district shall be no less than five (5) acres and shall be located:

- (A) On ~~primary state highways, however, direct access onto~~ arterial roads shall be limited to those consistent with adopted Corridor Plans or collector roads.
- (B) In areas served by public water and sewer facilities.
- (C) In areas compatible with other commercial development.
- (D) As envisioned in the Comprehensive Plan.

Incremental and contiguous additions of a minimum of one (1) acre to an existing PD-OP zoning district shall be allowed. Incremental additions must demonstrate their relationship and compatibility with the previously approved district to which it is being added.

**4-303**

**Permitted Uses.** The following uses shall be permitted in any PD-OP district, subject to the requirements and limitations of these regulations:

- (A) Office, administrative, business and professional.
- (B) Bank or financial institution, pursuant to Section 5-659.
- (C) Commuter parking lot.
- (D) Health and fitness center.
- (E) Office, medical and dental.
- (F) The following accessory uses shall be permitted provided they are located in the same building as the permitted principal uses primarily served, and provided they occupy in the aggregate not more than twenty percent (20%) of the floor area of such building:

- (T) Utility substation, dedicated.
- (U) Water pumping station.
- (V) Sewer pumping station.
- (W) Utility substation, distribution, pursuant to Section 5-616.
- (X) Church, synagogue and temple.
- (Y) Child care center, pursuant to Section 5-609.
- (Z) Telecommunications antenna, pursuant to Section 5-618(A).
- (AA) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (BB) Training Facility
- 4-304 Special Exception Uses.** The following uses may be approved by the Board of Supervisors and, if approved, may be subject to conditions pursuant to the provisions of Section 6-1300.
- (A) Heliport, helistop.
- (B) Hospital, pursuant to Section 5-610.
- (C) Hotel/Motel, pursuant to Section 5-611.
- (D) Radio, radar and/or television tower.
- (E) Medical care facility, outpatient only
- (F) Uses auxiliary to permitted principal uses on a stand-alone basis such as, but not limited to, restaurants including carry-out, and drive-through facilities, personal service establishments, banks and financial institutions, and automobile service stations.
- (G) Utility substation, transmission, pursuant to Section 5-616.
- (H) Utility transmission lines, overhead.
- (I) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (J) Fire and/or rescue station.
- (K) Golf course.

- 1 (L) Mass transit facilities and stations.
- 2 (M) ~~Motel.~~
- 3 (N) Personal service establishment.
- 4 (O) Restaurant.
- 5 (P) Sewage treatment plant.
- 6 (Q) Water treatment plant.
- 7 (R) Water storage tank.
- 8 (S) Facility for lessons in dance, gymnastics, judo, and sports training.
- 9 (T) School, private, accessory to a church.
- 10 (U) Gas pumps accessory to a convenience food store, pursuant to
- 11 Section 5-617.
- 12 (V) Telecommunications tower, pursuant to Section 5-618(C)(2).
- 13 (W) Police station.
- 14 (X) School, public.

15 **4-305 Lot Requirements.**

- 16 (A) **Size.** One (1) acre minimum, exclusive of major floodplain.
- 17 (B) **Yards.**
- 18 (1) **Adjacent to roads.** Except where a greater setback is
- 19 required by Section 5-900, No building, outdoor storage,
- 20 areas for collection of refuse, or loading area shall be
- 21 permitted closer than one hundred (100) feet to the right of-
- 22 way of any arterial road, seventy five (75) feet to any major
- 23 collector road, and (35) feet to the right-of-way from any
- 24 other road and no parking shall be permitted closer than
- 25 twenty-five (25) feet to the right-of-way from any road. No
- 26 parking, outdoor storage, areas for collection of refuse, or
- 27 loading space shall be permitted in such setbacks. areas
- 28 between buildings and streets where such uses are visible
- 29 from any road.

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(2) **Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses.** No building, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than (100) feet to any agricultural district, any existing or zoned residential district, or land bay allowing residential uses. No parking shall be permitted closer than fifty (50) feet to any such area. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where such uses are visible from said agricultural and residential areas. When a PD-OP lot, parcel and/or landbay is developed adjacent to an agricultural district, an existing or zoned residential district, or land bay allowing residential uses, which was zoned for agricultural or residential uses subsequent to the adoption of this zoning ordinance and subsequent to zoning of the subject property as PD-OP, the setback required in (B)(3) below shall apply.

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(3) **Adjacent to Other Nonresidential Districts.** Fifteen (15) feet for buildings, parking, outdoor storage, and loading areas except where a greater area is required by Section 5-1400. In the event that a single parcel is zoned for more than one non-residential zoning district, the applicable yard requirement shall be applied only at the property line and not at the zoning district line.

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(4) **Yards Between Buildings.**

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(a) Where individual lots or building sites are provided, the minimum required yards between buildings on adjacent lots or building sites shall be thirty (30) feet, ~~unless a greater yard is required by Section 5-1414(A), Buffer Yard and Screening Matrix.~~ Driveways, parking, and covered entrances may be within such yards, ~~however, no such facility may be closer than five (5) feet to lot lines.~~ Covered walkways connecting buildings, or connecting buildings with parking areas, shall be permitted in such yards.

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(b) Where there is more than one building on an individual lot or building site, spacing between such buildings shall be as required for fire protection, but

1 if space is left between buildings, it shall be at least  
2 (25) feet in minimum dimension. Covered  
3 walkways connecting buildings, or connecting  
4 buildings with parking areas are permitted in such  
5 yards and may traverse such space.

6 **4-306 Building Requirements.**

7 (A) **Lot Coverage.** .40 maximum for the district, ~~unless modified in~~  
8 ~~accordance with Section 4-306(C) below. As modified, lot~~  
9 ~~coverage may not exceed .45 maximum.~~

10 (B) **Building Height.** ~~Forty-five (45)~~ Thirty-five (35) feet provided  
11 that a building may be erected to a maximum height of (100) feet if  
12 it is set back from streets or from lot lines that do not constitute  
13 boundaries of districts with lower maximum height restrictions, in  
14 addition to each of the required minimum yard dimensions, a  
15 distance of not less than one (1) foot ~~two (2) feet~~ for each one (1)  
16 foot of height that it exceeds the forty-five (45) ~~(35)~~ foot limit.

17 (C) **Floor Area Ratio.** .60 maximum; up to 2.0 maximum by Special  
18 Exception. Total floor area permissible on an individual lot shall  
19 not exceed .40 times the gross land area of the lot. However, the  
20 Board of Supervisors may permit a total floor area on an individual  
21 lot exceeding .40 times the gross land area of the lot as a part of  
22 approval of the Concept Development Plan, concurrent with the  
23 PD-OP amendment, or by amendment of an existing Concept  
24 Development Plan upon recommendation of the Planning  
25 Commission at any time after the original PD-OP amendment  
26 provided the following criteria are met.

27 (1) ~~The overall Floor Area Ratio for the planned development~~  
28 ~~district does not exceed .40.~~

29 (2) ~~The applicant submits a plan with evidence of unified control~~  
30 ~~and identifying proposed land uses, their location, and~~  
31 ~~Floor Area Ratios requested for specific land bays and their~~  
32 ~~land area acreages.~~

33 (3) ~~The applicant provides a traffic analysis that shows no~~  
34 ~~deleterious effects to the local or regional road network as a~~  
35 ~~result of the increased concentration of development, unless~~  
36 ~~such deleterious effects are mitigated.~~

~~(4) For any lot with a Floor Area Ratio other than .40, the Floor Area Ratio shall be shown on the approved record plat and site plan for the lot.~~

~~(5) In the event the Concept Development Plan for the PD-OP development does not provide the information set forth in Section 6-1505, the applicant may limit the development on an individual lot to an FAR of less than .40. Such a limitation shall be placed on the approved record plat and site plan for the lot. The Board shall consider this limitation for future transfer to another portion of the PD-OP development as part of a Concept Development Plan amendment.~~

~~(6) A revised Concept Development Plan shall be submitted with the preliminary site plan to illustrate the Floor Area Ratio for the entire district if individual lots are allowed to increase FAR following adoption of the rezoning.~~

#### 4-307

#### Use Limitations.

- (A) **Accessory Uses.** Accessory uses exclusive of parking shall not occupy more than five percent (5%) of the land area of the individual lot.
- (B) **Accessory Structures and Uses.** As an accessory use, parking garages or areas for commuter parking may be permitted, but spaces for this purpose shall be provided in addition to the required parking spaces provided for in Section 5-1100. Accessory structures and uses other than for commuter parking shall be permitted only where said uses and structures are customarily accessory and clearly incidental and subordinate to the permitted principal use and structures.
- (C) **Landscaped Open Space.** Landscaped open space on any individual lot shall not be less than .20 times the buildable area of the lot. Such open space shall be landscaped and maintained in accord with Section 5-1400.
- (D) **Utility Requirements.** All utility distribution lines located on PD-OP ~~designated~~zoned land shall be placed underground.
- (E) **Site Planning.** Within any PD-OP district, ~~the site plan shall provide for efficient groupings of structures, uses and facilities, and for smooth and convenient traffic flow within the district and at points of entry and exit. To promote park-like character within~~

1 ~~such districts, particular care should be taken to organize the~~  
2 ~~landscaping in such a way as to maximize the visual effects of~~  
3 ~~green spaces as seen from public ways. L~~landscaping, buffering,  
4 and screening shall be used to screen outdoor storage, areas for  
5 collection of refuse, loading areas and parking from streets,  
6 agricultural and residential uses.

7 (F) ~~Development Setback and~~ Access from Major Roads. Access  
8 from adjacent public roads shall comply with Section 5-900 of this  
9 Ordinance. In designing a planned office park development, the  
10 following requirements shall be observed:

11 ~~(1) Access. No individual lots created after adoption of this~~  
12 ~~Ordinance shall have direct access to an arterial or major~~  
13 ~~collector road.~~

14 ~~(2)(1) Primary access and through vehicular traffic impacting~~  
15 ~~residential neighborhoods shall be avoided prohibited on~~  
16 ~~residential neighborhood streets. This prohibition does not~~  
17 ~~apply to collector roads through residential neighborhoods.~~  
18 ~~Minor streets shall not be connected with streets outside the~~  
19 ~~district in such a way as to encourage the use of such minor~~  
20 ~~streets by through and construction traffic.~~

**Section 4-400**

**PD-RDP Planned Development - Research and Development Park.**

**4-401**

**Purpose and Intent.** The Research and Development Park is a planned mixed employment park with a comprehensive development plan, which is designed to ensure compatibility between the land-use activities therein and the existing activities and character of the community in which the facility is located. The district objectives are to:

- (A) Provide an opportunity for mixed employment development character which allows the mixing of research and development firms, office complexes, certain types of manufacturing, and inter-related land uses.
- (B) Encourage linked industries to cluster in a section of the employment center.
- (C) Allow a Floor Area Ratio (FAR) of up to .60 for a district if specific guidelines contained herein are achieved to the satisfaction of the Board of Supervisors.
- (D) Allow an applicant/landowner to construct buildings in excess of the .60 FAR within the district; however, the overall district FAR approval cannot exceed .60.

**4-402**

**Size and Location.** The PD-RDP District shall be located only within a Primary Highway Transportation Improvement District, within a keynote employment area and in accordance with locational criteria designated in the County's Comprehensive Plan. Each PD-RDP District shall be served by public water and sewer. Each district shall be a minimum of twenty (20) acres, except that a two (2) acre minimum shall be permissible for incremental and contiguous additions to a previously mapped district. Incremental additions must demonstrate their relationship and compatibility with the previously approved district to which it is being added.

**4-403**

**Permitted Uses.** The following uses shall be permitted in any PD-RDP district, subject to the requirements and limitations of these regulations:

- (A) Office, administrative, business and professional.
- (B) Educational institution.
- (C) Hotel/Motel, serving as an ancillary and interrelated component of the park.
- (D) Post office, ~~drop-off and pick-up.~~

- (V) Office, medical and dental.
- (W) Performance arts center.
- (X) Public utility service center, without outdoor storage.
- (Y) Radio and television recording studio.
- (Z) Restaurant, carry-out only.
- (AA) Utility substation, dedicated.
- (BB) Water pumping station.
- (CC) Sewer pumping station.
- (DD) Utility substation, distribution, pursuant to Section 5-616.
- (EE) Church, synagogue and temple.
- (FF) Child care center, pursuant to Section 5-609.
- (GG) Telecommunications antenna, pursuant to Section 5-618(A).

(HH) Training Facility

**4-404**

**Special Exception Uses.** The following uses, and increases in limits, may be approved by the Board of Supervisors, and if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) An increase in the maximum building height pursuant to 4-406(B).
- (B) An increase in the maximum floor area ratio pursuant to 4-406(C).
- (C) Heliport, helistop.
- (D) Hospital, pursuant to Section 5-610.
- (E) Radio, radar and/or television tower.
- (F) Utility transmission lines, overhead.
- (G) Uses of the type described in Section 4-403(G), but either exceeding the size or freestanding building limitation thereof.
- (H) Telecommunications monopole, pursuant to Section 5-618(B)(2).

- 1 (I) Utility substation, transmission, pursuant to Section 5-616.
- 2 (J) Fire and/or rescue station.
- 3 (K) Golf course.
- 4 (L) Manufacture, processing, fabrication and/or assembly of products  
5 such as, but not limited to: scientific and precision instruments,  
6 photographic equipment, communication, computation equipment,  
7 drugs, medicines, pharmaceutical, household appliances, toys,  
8 sporting and athletic goods, die-cut paperboard and cardboard,  
9 glass products made of purchases glass, electric lighting and wiring  
10 equipment, service industry machines, lithographic and printing  
11 processes, industrial controls, radio and TV receiving sets, watches  
12 and clocks, bags and containers, sanitary paper products, optical  
13 goods, electrical machinery.
- 14 (M) Mass transit facilities and stations.
- 15 (N) Medical care facility, outpatient only.
- 16 (O) Hotel/Motel.
- 17 (P) Personal service establishment.
- 18 (Q) Restaurant.
- 19 (R) Sewage treatment plant.
- 20 (S) Water treatment plant.
- 21 (T) Water storage tank.
- 22 (U) School, private, accessory to a church.
- 23 (V) Car wash, accessory to a convenience food store, pursuant to  
24 Section 5-617.
- 25 (W) Telecommunications tower, pursuant to Section 5-618(C)(2).
- 26 (X) Police station.
- 27 (Y) School, public.
- 28 **4-405 Lot Requirements.**
- 29 (A) **Size.** Two (2) acres minimum, exclusive of major floodplain.

(B) Yards.

- (1) **Adjacent to roads.** ~~Except where a greater setback is required by Section 5-900, No building, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than one hundred (100) feet to the right-of-way of any arterial road, seventy five (75) feet to any major collector road, and fifty (50) thirty-five (35) feet to any other roads and. No parking shall be permitted closer than fifty (50) twenty-five (25) feet to the right-of-way of any road. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in such setbacks, areas between buildings and streets where such uses are visible from any road.~~
- (2) **Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses.** No building, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than one hundred (100) feet to any agricultural district, any existing or zoned residential district, or land bay allowing residential uses. No parking shall be permitted closer than fifty (50) feet to any such districts and uses. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where such uses are visible from the said agricultural and residential areas. When a PD-RDP lot, parcel and/or landbay is developed adjacent to an agricultural district, an existing or zoned residential district, or land bay allowing residential uses, which was zoned for agricultural or residential uses subsequent to the adoption of this zoning ordinance and subsequent to zoning of the subject property as PD-RDP, the setback required in (B)(3) below shall apply.
- (3) **Adjacent to Other Nonresidential Districts.** Fifteen (15) feet for buildings, parking, outdoor storage, and loading areas, except where a greater area is required by Section 5-1400. In the event that a single parcel is zoned for more than one non-residential zoning district, the applicable yard requirement shall be applied only at the property line and not at the zoning district line.
- (4) **Yards Between Buildings.**

(a) Where individual lots or building sites are provided, the minimum required yards between buildings on adjacent lots or building sites shall be thirty (30) feet, ~~unless a greater yard is required by Section 5-1414(A), Buffer Yard and Screening Matrix.~~

Driveways, parking, and covered entrances may be within such yards, ~~however, no such facility may be closer than five (5) feet to lot lines.~~ Covered walkways connecting buildings, or connecting buildings with parking areas, shall be permitted in such yards.

(b) Where there is more than one building on an individual lot or building site, spacing between such buildings shall be as required for fire protection, but if space is left between buildings, it shall be at least 25 feet in minimum dimension. Covered walkways connecting buildings, or connecting buildings with parking areas are permitted in such yards and may traverse such space.

#### **4-406 Building Requirements.**

(A) **Lot Coverage.** .55 maximum.

(B) **Building Height.** ~~Forty-five (45)~~ Thirty five (35) feet provided that a building may be erected to a maximum height of one hundred feet if it is set back from streets or from lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard dimensions, a distance of not less than one (1) foot ~~two (2) feet~~ for each one (1) foot of height that it exceeds the ~~34~~ 5 foot limit.

(C) **Floor Area Ratio (FAR).**

(1) **Maximum FAR Permitted.** ~~.60 maximum; up to 2.0 maximum by Special Exception. FAR shall not exceed .40 times the gross land area of the lot, unless allowed by the Board of Supervisors pursuant to paragraph (2) below.~~

~~(2) FAR Increase. Increases up to a maximum of .20 in the FAR may be approved by the Board of Supervisors, for a maximum district FAR of .60, concurrently with any PD-RDP amendment, or by special exception at any time after~~

such amendment, if the applicant complies with the following:

(a) Provides public land dedication and/or improvements whose need is generated substantially by the project's increase in development intensity. Such improvements shall include, but not limited to, fire and rescue facilities and equipment, roads, sewer and water, and public open space.

(b) Consideration for increases in FAR will also be given to public land dedications and off-site road improvements in excess of the established need generated by the proposed project, as well as financial contributions toward, or the actual acquisition and deeding of conservation easements to the County for important land resources outlined in the adopted Comprehensive Plan.

(c) The maximum FAR on any individual lot or land bay within a district may be as much as 1.0, provided that the improvements on such lot or land bay are in conformance with all other regulations of this District. Increases of FAR above 1.0 on any individual lot may be permitted by special exception from the Board of Supervisors upon a finding that the intent of the PD-RDP District and the purpose of the district are furthered by such an increase.

(d) For any application proposing an increase in Floor Area Ratio above .40, the applicant shall provide graphic, presentations and/or models at an appropriate scale showing the location and scale of structures, open space, parking areas and other features, and methods of mitigating any impacts of the increased density.

(e) A revised Concept Development Plan shall be submitted with the preliminary site plan to illustrate Floor Area Ratio for the entire district if individual lots are allowed to increase FAR following adoption of the rezoning.

(A) **Landscaped Open Space.** Landscaped open space on any individual lot shall not be less than .20 times the buildable area of the lot.

(B) **Buffering/Screening.** Landscaping, buffering, and screening shall be used to screen outdoor storage, areas for collection of refuse, loading area and parking from streets and agricultural and residential uses.

(C) **Accessory Structures and Uses.** As an accessory use, parking garages or areas for commuters may be permitted, but spaces for this purpose shall be provided in addition to the required parking spaces provided for in Section 5-1100. Accessory structures and uses other than for commuter parking shall be permitted only where said uses and structures are customarily accessory and clearly incidental and subordinate to the permitted principal use and structures.

(D) **Loading Areas.** No loading area shall be permitted within the required yard of any building. All loading shall be placed at the rear or side of the building. Loading areas shall be screened from view of adjoining land not in the PD-RDP district and from public streets.

(E) **Minimum Floor Space Mix.** At build-out, a minimum of twenty (20%) percent ~~thirty (30%) percent (30%)~~ of total floor space in the park shall be committed to research and development uses or to Educational Institutions or schools, public or private. ~~For greater than .40 FAR, a minimum of fifty (50%) percent of the total floor space shall be committed to research and development uses, and a minimum of ten (10%) percent shall be committed to educational institutions of higher learning above the secondary level, both public and private. At no time during construction of the park shall the total floor space of other types of development exceed the total floor space of research and development uses plus educational uses.~~

(F) **Utility Requirements.** All utility distribution lines located on PD-RDP ~~designated-zoned~~ land shall be placed underground.

(G) **Access from Major Roads.** Access from adjacent public roads shall comply with Section 5-900 of this Ordinance. ~~In designing a planned research and development park development, the following requirements shall be observed:~~

1 ~~(1) Access. No individual lots created after adoption of this~~  
2 ~~Ordinance shall have direct access to an arterial or major~~  
3 ~~collector road.~~

4 ~~(2) Primary access and through vehicular traffic impacting~~  
5 ~~residential neighborhoods shall be avoided. Minor streets~~  
6 ~~shall not be connected with streets outside the district in~~  
7 ~~such a way as to encourage the use of such minor streets by~~  
8 ~~through and construction traffic.~~

9 (H) **Outdoor Storage.** Outdoor storage of waste materials and any  
10 other type of equipment and supplies shall be buffered and  
11 screened on the periphery of the storage area.